Calendar No. 230

101st Congress
1st Session

SENATE

Report
101-122

DOMESTIC VOLUNTEER SERVICE ACT AMENDMENTS OF 1989

September 7 (legislative day, September 6), 1989.—Ordered to be printed

---

Mr. Kennedy, from the Committee on Labor and Human Resources, submitted the following

REPORT

[To accompany S. 1426]

The Committee on Labor and Human Resources, to which was referred the bill (S. 1426) to revise and extend the programs of the Domestic Volunteer Service Act of 1973, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill as amended do pass.

CONTENTS

		Page
I.	Summary of the bill	14
II.	Background and need for legislation	14
III.	History of the legislation	20
IV.	Hearing	20
V.	Committee views	21
VI.	Votes in Committee	34
VII.	Cost estimate	34
VIII.	Regulatory impact statement	36
IX.	Section-by-section analysis	36
X.	Changes in existing law	40

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "Domestic Volunteer Service Act Amendments of 1989".

(b) Table of Contents.—The table of contents is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to the Domestic Volunteer Service Act of 1973.

S543-13

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

Sec. 101. Selection and assignment of volunteers.
Sec. 102. Support services.
Sec. 103. Applications for assistance by previous recipients.

TITLE II—SERVICE-LEARNING PROGRAMS

Sec. 201. Change in general reference to programs.

TITLE III—SPECIAL VOLUNTEER PROGRAMS

Sec. 301. Authority to establish and operate programs.
Sec. 302. Special initiatives.

TITLE IV—ADMINISTRATION AND COORDINATION

Sec. 401. Reports.
Sec. 402. Evaluation.
Sec. 403. Definitions.

TITLE V—OLDER AMERICAN VOLUNTEER PROGRAMS

Sec. 501. Purposes.
Sec. 502. Projects of national and local significance.
Sec. 503. Increase in stipend or allowance; foster grandparent program.
Sec. 504. Promotion of programs.

TITLE VI—GENERAL PROVISIONS

Sec. 601. Health care problems.
Sec. 602. Oath or affirmation.
Sec. 603. Limitation on funds appropriated for grants and contracts.
Sec. 604. Technical and financial assistance for improvement of volunteer programs.
Sec. 605. Special initiatives.
Sec. 606. Special initiatives.
Sec. 607. Administrative costs.
Sec. 608. Amendments relating to partnership agreements addressing the needs of the poor.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

Sec. 701. National volunteer antipoverty programs authorization.
Sec. 702. Priority.
Sec. 703. Administration and coordination.
Sec. 704. Older American volunteer programs.

TITLE VIII—TECHNICAL AMENDMENTS

Sec. 801. Amendments to table of contents.
Sec. 802. Technical amendments.

TITLE IX—EFFECTIVE DATE

Sec. 901. Effective date.

SEC. 2. REFERENCES TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.).

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

SEC. 101. SELECTION AND ASSIGNMENT OF VOLUNTEERS.

Section 103 (42 U.S.C. 4953) is amended to read as follows:

"(b)(1) The Director shall establish, at a cost of not less than $600,000 from amounts appropriated under section 501 for each fiscal year, national, regional, and State procedures to inform the public of the volunteer service opportunities VISTA provides to Americans from diverse backgrounds, age groups, economic levels, and geographic areas, and to recruit and assign the most qualified applicants to serve in VISTA.

"(2) The Director shall use not less than $200,000 from the amounts appropriated under section 504 for the support of VISTA recruitment activities, such as travel and training expenditures.

"(3) The Director shall appoint a national Administrator of Recruitment and Placement (hereinafter in this section referred to as the 'Administrator'). The Director shall hire, as necessary, additional national, regional, and State employees to carry out recruitment and placement functions in a timely and effective manner. In each region, the Director shall designate at least one regional or State ACTION employee whose duties shall include assisting such region in carrying out the recruitment and application evaluation functions described in this section.

"(4) The Director shall establish recruitment and placement procedures that offer opportunities for both local and national placement of volunteers. The procedures for the recruitment, selection, and placement of volunteers shall be carried out by—

"(A) making applications for VISTA service available from national, regional, or State offices;

"(B) informing individuals who request an application of the manner in which applications shall be submitted; and

"(C) forwarding applications received at the national or State office to the regional office representing the State in which the applicant resides.

"(5) Each application shall—

"(A) indicate the period of time during which the applicant is available to serve as a volunteer under this part;

"(B) describe the previous education, training, military and work experience, and any other relevant skills or interests of the applicant; and

"(C) specify the State or geographic region in which the applicant prefers to be assigned; and

"(D) specify—

"(i) the type of project or program to which the applicant prefers to be assigned; or

"(ii) the particular project or program to which the applicant prefers to be assigned.

"(6) The regional or State employees designated in paragraph (3) shall assist in interviewing applicants and evaluating applications. When the interview process of applicants is completed, such employees shall send the applications of the most qualified applicants to the Administrator.

"(7) The Administrator, in conjunction with such regional or State employees, shall engage in public awareness and recruitment activities. Such activities shall include—

"(A) public service announcements through radio, television, and the print media;

"(B) advertising through the print media, direct mail, and other means;

"(C) disseminating information about opportunities for service as a volunteer under this part to relevant entities, including institutions of higher education and other educational institutions (including libraries), professional associations, community-based agencies, youth service and volunteer organizations, business organizations, labor unions, senior citizens organizations, and other institutions and organizations from or through which potential volunteers may be recruited;

"(D) disseminating such information through presentations made personally by employees of the ACTION Agency or other designees of the Director, to students and faculty at institutions of higher education and to other entities described in subparagraph (C), including presentations made at the facilities, conventions, or other meetings of such entities;

"(E) publicizing the student loan deferment and forgiveness opportunities available to VISTA volunteers under parts B and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.), and including such information in all applications and recruitment materials;

"(F) providing, on request, technical assistance with the recruitment of volunteers under this part to programs and projects receiving assistance under this part; and

"(G) maintaining and publicizing a national toll-free telephone number through which callers may obtain information about opportunities for service as a volunteer under this part, and request and receive an application for such service.

"(8) In designing and implementing the activities authorized under this section, the Director shall seek to involve individuals who have formerly served as volunteers under this part to assist in the dissemination of information concerning the program under this part. The Director may reimburse the costs incurred by such former volunteers for such participation, including expenses incurred for travel.

"(9) The Administrator shall—

"(A) maintain up-to-date information on existing and future VISTA placement opportunities;

"(B) make the final selection of individuals who will serve as VISTA volunteers from the applications sent from the regional offices, and assign the individuals in projects;

"(C) assign applicants within VISTA, to the extent practicable, consistent with the abilities, experiences, and preferences of each applicant as set forth in the application and consistent with the needs and preferences of projects or programs approved for the assignment of such volunteers;

"(D) consult with the Director of the Peace Corps to coordinate the recruitment and public awareness activities carried out under this subsection, with those of the Peace Corps, and to develop joint procedures and activities for the recruitment of volunteers to serve under this part; and

"(E) develop, at the beginning of each fiscal year, an annual plan for the recruitment of volunteers under this part that—

"(i) describes in detail (including the cost) the recruitment and public awareness activities carried out during the preceding fiscal year and evaluates the effectiveness of such activities;

"(ii) identifies methods and goals for the recruitment of volunteers during the existing fiscal year, including specific methods and goals for the recruitment of individuals 55 years of age and older, individuals between 18 and 27 years of age (inclusive), recent graduates of institutions of higher education, and special skilled volunteers; and

"(iii) describes in detail (including the expected cost) the recruitment and public awareness activities that shall be undertaken throughout the year to achieve the goals specified in clause (i); and

"(iv) describes in detail (including the expected cost) the recruitment and public awareness activities that shall be undertaken throughout the year to achieve the goals for the recruitment of individuals described in clause (ii).

"(10) If feasible and appropriate, low-income community volunteers shall be given the option of serving in the home communities of such volunteers in teams with nationally recruited specialist volunteers. The Director shall make efforts to assign volunteers to serve in their home or nearby communities and shall make national efforts to attract other individuals to serve in the VISTA program. The Director shall also, in the assignment of volunteers, recognize that the community-identified needs that cannot be met in the local area, and the individual desires of VISTA volunteers in regard to the various geographical areas of the United States, should be taken into consideration.

"(11) A sponsoring organization of VISTA may recruit volunteers. The Administrator shall give a locally recruited volunteer priority for placements in a sponsoring organization of VISTA that recruited such volunteer.

"(12) If an applicant under this part who is recruited locally becomes unavailable for service prior to the commencement of service, the recipient of the project grant or contract may replace such applicant with another qualified applicant approved by the Director.

"(13) The Director shall ensure that not less than 20 percent of all volunteers under this part are 55 years of age or older and that, by the beginning of fiscal year 1991 and for each fiscal year thereafter, not less than 20 percent of all such volunteers are between 18 and 27 years of age, (inclusive).".

SEC. 102. SUPPORT SERVICES.

Section 105 (42 U.S.C. 4955) is amended—

(1) in subsection (a)(1), by striking out "$75" both places it appears and and inserting in lieu thereof "$100"; and

(2) in subsection (b)—

(A) by inserting "(1)" after the subsection designation; and

(B) by adding at the end thereof the following new paragraphs:

"(2) The Director shall set the subsistence allowance for volunteers under paragraph (1) for each fiscal year so that the average subsistence allowance is no less than 105 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) for a single individual as expected in each fiscal year.

"(3)(A) The Director shall consult with regional and State offices of the ACTION Agency to make a determination of the cost of living within each State and whether there are significant local price differentials within the State.

"(B) The Director shall adjust the subsistence allowances for volunteers serving in areas that have a higher cost of living than the national average to reflect such higher cost.

"(4) The Director, in coordination with regional and State offices of the ACTION Agency and taking into account paragraphs (2) and (3), shall establish a method for setting subsistence allowances. The Director shall submit a report on such methods to the appropriate authorizing committees of Congress no more than 90 days after the date of enactment of the fiscal year 1990 appropriation.".

SEC. 103. APPLICATIONS FOR ASSISTANCE BY PREVIOUS RECIPIENTS.

Part A of title I (42 U.S.C. 4951 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 110. APPLICATIONS FOR ASSISTANCE BY PREVIOUS RECIPIENTS.

"(a) Duration.—The Director shall not deny assistance under this part to any project or program, or any public or private nonprofit organization, solely on the basis of the duration of the assistance such project, program, or organization has previously received under this part.

"(b) Consideration of Application.—The Director shall consider each application for the renewal of assistance under this part to any project or program on a case-by-case basis, taking into account—

"(1) the extent to which the sponsoring organization has made good faith efforts to achieve the goals agreed on in the application of such project or program; and

"(2) any extenuating circumstance beyond the control of the sponsoring organization that may have prevented, delayed, or otherwise impaired the achievement of such goals.

"(c) New Project or Program.—The Director shall consider each application for assistance under this part to a new project or program, that is submitted by a public or private nonprofit organization that has previously received such assistance (so long as such new project or program is clearly distinct from activities for which the organization has previously received such assistance), on an equal basis with all other applications for such assistance and without regard for the fact that the organization has previously received such assistance.

"(d) Renewal of Assistance.—In considering a request for a renewal of assistance under this part, the Director may not apply the duration of previous assistance against any entity that is—

"(1) functioning as an intermediary between the Director and organizations requesting such renewal and receiving such assistance; and

"(2) utilized by such organizations—

"(A) to prepare and submit applications for such assistance to the Director; and

"(B) to perform other administrative functions and services associated with applying for and receiving such assistance.

"(e) Notice.—The Director shall ensure that the provisions of this subsection are included in—

"(1) an application developed by the agency for use by individuals who request assistance under this part for a project or program; and

"(2) any regulation or guideline issued for the program established under this part.".

TITLE II—SERVICE-LEARNING PROGRAMS

SEC. 201. CHANGE IN GENERAL REFERENCE TO PROGRAMS.

(a) Part B of title I (42 U.S.C. 4971 et seq.) is amended—

(1) by amending the heading for such part to read as follows:

"PART B—STUDENT COMMUNITY SERVICE PROGRAMS";

(2) in the first sentence of section 111(a) (42 U.S.C. 4971(a)), by inserting "and community service" after "service-learning" both places it appears; and

(3) in section 114 (42 U.S.C. 4974)—

(A) by amending the heading to read as follows:

"STUDENT COMMUNITY SERVICE PROGRAMS";

and

(B) in the first sentence of subsection (a), by inserting "and community service" after "service-learning".

TITLE III—SPECIAL VOLUNTEER PROGRAMS

SEC. 301. AUTHORITY TO ESTABLISH AND OPERATE PROGRAMS.

Section 122(d) (42 U.S.C. 4992(d)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

"(3) The amount of a grant made, or contract entered into, under this part may not exceed $250,000, unless the Director determines at the end of a fiscal year that a greater amount is required due to exceptional circumstances.".

SEC. 302. SPECIAL INITIATIVES.

Section 124 (42 U.S.C. 4994) is amended—

(1) by amending the section heading to read as follows:

"DRUG ABUSE EDUCATION AND PREVENTION SERVICES AND ACTIVITIES";

(2) in subsection (b), by striking out paragraph (3) and redesignating paragraph (4) as paragraph (3); and

(3) by adding at the end thereof the following new subsections:

"(c) In awarding grants and contracts under this section, the Director shall give priority to drug abuse education and prevention projects that serve communities, including rural communities, that have not previously received assistance under this part.

"(d) The Director shall provide for the evaluation of activities and projects conducted with financial assistance received under this section. An application for a grant, for such activities and projects, under this section in excess of $10,000 shall include data on the appropriate use of funds within the communities where such activities and projects are carried out.".

TITLE IV—ADMINISTRATION AND COORDINATION

SEC. 401. REPORTS.

Section 407 (42 U.S.C. 5047) is amended to read as follows:

"SEC. 407. REPORTS.

Not later than 60 days after the beginning of each fiscal year, the Director shall prepare and submit to the appropriate committees of Congress a report that shall include—

"(1) the annual recruitment plan developed under section 103(b)(5);

"(2) a description of the activities carried out under section 103(b) during the preceding fiscal year, including a specification of the total number of—

"(A) individuals who applied for service as a volunteer under this part;

"(B) applicants approved for such service;

"(C) approved applicants provided an assignment as a volunteer under section 103(b); and

"(D) volunteers assigned to projects and programs that were outside the original home communities of such volunteers;

"(3) a description of efforts undertaken by the Director during the preceding fiscal year to involve individuals, who have formerly served as volunteers under this part, in the activities authorized under section 103(b);

"(4) a specification of the number of, and the manner that, individuals referred to in paragraph (3) that were involved in the activities referred to in paragraph (3); and

"(5) a specification of the number and location of employees of the ACTION Agency designated by the Director to assist in carrying out the duties described in section 103(b) during the preceding fiscal year.".

SEC. 402. EVALUATION.

The second sentence of section 416(a) (42 U.S.C. 5056(a)) is amended by inserting before the period at the end thereof the following: ", including the VISTA Literacy Corps which shall be evaluated as a separate program at least once every 3 years".

SEC. 403. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(6) the term 'poverty line for a single individual' means such poverty line as established by section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).".

TITLE V—OLDER AMERICAN VOLUNTEER PROGRAMS

SEC. 501. PURPOSES.

Title II (42 U.S.C. 5001 et seq.) is amended by inserting after the heading for such title the following new section:

"SEC. 200. PURPOSES.

"It is the purpose of—

"(1) this title to provide for Older American Volunteer Programs, comprised of the Retired Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, that empower older individuals to contribute to their communities through volunteer service, enhance the lives of the volunteers and those whom they serve, and provide communities with valuable services;

"(2) part A, the Retired Senior Volunteer Program, to utilize the vast talents of older individuals willing to share their experiences, abilities, and skills in responding to a wide variety of community needs;

"(3) part B, the Foster Grandparent Program, to afford low-income older individuals an opportunity to provide supportive, individualized services to children with exceptional or special needs; and

"(4) part C, the Senior Companion Program, to afford low-income older individuals the opportunity to provide personal assistance and companionship to other older individuals through volunteer service.".

SEC. 502. PROGRAMS OF NATIONAL AND LOCAL SIGNIFICANCE.

Part D of title II (42 U.S.C. 5021 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 225. PROGRAMS OF NATIONAL AND LOCAL SIGNIFICANCE.

"(a) In General.—The Director shall establish, within each program authorized under this title, a program for making grants to support programs that address national problems on a local level.

"(b) Use of Grants.—The recipient of a grant under the program established under subsection (a) shall use such grant to provide creative solutions to urgent problems.

"(c) Awarding of Grants.—

"(1) Establishment of program.—There is established the 'Programs of National and Local Significance' program. Under the program, the Director shall award grants each year to programs administered under this title to respond to an identified community need.

"(2) Awards.—

"(A) In general.—The grants authorized under paragraph (1) may be awarded to both existing and new projects.

"(B) Limitation.—A grant under paragraph (1) may not exceed $150,000 per year.

"(3) Criteria for awarding grants.—

"(A) In general.—Under the program established under paragraph (1), the Director shall award grants based on a demonstration by an applicant that such grant will enable such applicant to uniquely and effectively respond to an identified community need.

"(d) Use of Grants.—A program receiving a grant under subsection (a) shall demonstrate that assistance provided by such grants shall be used to increase—

"(1) the total number of volunteers supported by such projects; and

"(2) the number of volunteers in such projects engaged in responding to the identified community need referred to in subsection (g) for which such grant was made.

"(e) Dissemination of Information.—The Director shall disseminate information on the Programs of National and Local Significance established under this section to field personnel of the ACTION Agency and other community volunteer organizations that request such information.".

"(f) Priority.—Priority for grants under this section shall be given to the following programs of national significance—

"(1) programs that assist individuals with chronic and debilitating illnesses such as immune deficiency syndrome;

"(2) programs designed to decrease drug and alcohol abuse;

"(3) programs that work with teenage parents;

"(4) mentoring programs that match senior volunteers with youth who need guidance;

"(5) adult and school-based literacy programs;

"(6) respite care, including care for frail elderly individuals and disabled or chronically ill children living at home;

"(7) before and after-school programs, sponsored by organizations such as libraries, that serve children of working parents;

"(8) programs working with boarder babies;

"(9) programs serving children who are enrolled in child care programs, with priority given to those serving children with special needs; and

"(10) the provision of care to developmentally disabled adult individuals residing in home and community-based settings including, when appropriate, the involvement of older developmentally disabled individuals as Older American Volunteer Program volunteers.

"(g) Funding.—

"(1) Amounts to be made available.—Notwithstanding any other provision of law, the Director shall make amounts under section 502 available to carry out this section.

"(2) Director.—The Director shall not make grants under this section within a program authorized under this title unless the amount appropriated under section 502 for such program, for the fiscal year that such grants are made, exceeds 105 percent of the amount appropriated for the preceding fiscal year for such program.".

SEC. 503. INCREASE IN STIPEND OR ALLOWANCE.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting after "$2.20 per hour" the following: "until September 30, 1991, $2.35 per hour during fiscal year 1991, and $2.50 per hour on and after October 1, 1992"; and

(B) in paragraph (2), by striking out "$2.20 per hour" and inserting in lieu thereof "the minimum hourly rate specified in this sentence"; and

(2) in subsection (f)—

(A) in paragraph (1)(C), by inserting before the period at the end thereof "unless such individuals have been referred previously for possible placement as volunteers under part A and such placement did not occur"; and

(B) by amending paragraph (3) to read as follows:

"(3) The Director may not take into consideration, require, or coerce, as a condition of receiving a grant or contract to carry out a project under this part, any applicant for or recipient of such grant or contract—

"(A) to accept or recruit individuals who are not low-income individuals to serve as volunteers under this part; or

"(B) to solicit locally generated contributions, in cash or in kind, to support such individuals.".

SEC. 504. PROMOTION OF PROGRAMS.

(a) Duties of Director.—Section 221 (42 U.S.C. 5021) is amended—

(1) by amending the heading to read as follows:

"SEC. 221. PROMOTION OF OLDER AMERICAN VOLUNTEER PROGRAMS.".

(2) by striking out "Sec. 221." and inserting in lieu thereof "(a) In General.—";

(3) by adding at the end thereof the following new subsection:

"(b) Publicizing the Programs.—

"(1) In general.—The Director shall take appropriate actions to ensure that special efforts are made to publicize the programs established in parts A, B, and C, in order to facilitate recruitment efforts, encourage greater participation of volunteers, and emphasize the value of volunteering to the health and well-being of volunteers and the communities of such volunteers. Such actions shall include informing recipients of grants and contracts under this title of all informational materials available from the Director.

"(2) Participation of Private Organizations and Older Individuals.—In carrying out this title, the Director shall encourage and facilitate the efforts of private organizations to promote the programs established in parts A, B, and C of this title and the involvement of older individuals as volunteers in such programs.

"(3) Funding.—From funds appropriated under section 502, the Director shall expend not less than $250,000 in each fiscal year to carry out paragraph (1).".

TITLE VI—GENERAL PROVISIONS

SEC. 601. HEALTH CARE PROBLEMS.

(a) Assignment of Volunteers.—Section 103(a) (42 U.S.C. 4953(a)) is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph:

"(5) in addressing significant health care problems, including chronic and life-threatening illnesses and health care for homeless individuals (especially homeless children) through prevention, treatment, and community-based care activities; and".

(b) VISTA Literacy Corp.—Section 109(g)(1) (42 U.S.C. 4959(g)(1)) is amended by adding at the end thereof the following new sentence: "The Director shall ensure that records are maintained to indicate the degree of compliance with this requirement".

SEC. 602. OATH OR AFFIRMATION.

Section 104(c) (42 U.S.C. 4954(c)) is amended by striking out "as prescribed in section 2504(j) of Title 22," and inserting in lieu thereof "for individuals appointed to any office of honor or profit by section 3331 of title 5, United States Code, and shall swear or affirm that such individual does not advocate the overthrow of our constitutional form of government in the United States, and that such individual is not a member of an organization that advocates the overthrow of our constitutional form of government in the United States, knowing that such organization advocates such an overthrow,".

SEC. 603. LIMITATION ON FUNDS APPROPRIATED FOR GRANTS AND CONTRACTS.

Section 108 (42 U.S.C. 4958(a) is amended by striking out subsection (a) and inserting in lieu thereof the following new subsection:

"(a) The Director shall notify the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate if, of the funds appropriated for the purpose of this part under section 501, more than 16 percent of such funds for the fiscal year ending September 30, 1984, and for each fiscal year thereafter, must be obligated for the direct cost of supporting volunteers in programs or projects carried out pursuant to grants and contracts made under section 402(12).".

SEC. 604. TECHNICAL AND FINANCIAL ASSISTANCE FOR IMPROVEMENT OF VOLUNTEER PROGRAMS.

Section 123 (42 U.S.C. 4993) is amended—

(1) by inserting "(a)" after the section designation; and

(2) by inserting at the end thereof the following new subsection:

"(b) The Director may provide technical and financial assistance to nonprofit organizations conducting operations in more than one area of a State and in more than one State, that are engaged in, or wish to become involved in, activities that have been principally designed to address the problems of illiteracy. Such technical and financial assistance may be provided by grant or contract, and shall be used to enable such nonprofit organizations—

"(1) to prepare and broadly disseminate training and technical assistance relating to the use of volunteers in literacy programs to agencies, organizations, and individuals; and

"(2) to seek new and innovative solutions to literacy problems that involve the more effective and extensive use of volunteers.".

SEC. 605. SPECIAL INITIATIVES.

Section 124 (42 U.S.C. 4994) is amended by inserting at the end thereof the following new subsection:

"(c) The Director is authorized to provide technical assistance, by grant or contract, to employers who have established or wish to establish worksite literacy programs to assist such employers in obtaining, training, and integrating volunteers into worksite literacy programs.".

SEC. 606. ADMINISTRATIVE COSTS.

Part D (42 U.S.C. 5021 et seq.) is amended by adding at the end thereof the following new section:

"SEC. 225. ADJUSTMENTS TO FEDERAL FINANCIAL ASSISTANCE.

"(a) Determining Assistance.—

"(1) Consumer price index.—

"(A) In general.—In determining the amount of Federal financial assistance to be provided under this title to applicants, the Director shall consider the impact of changes in the Consumer Price Index For All Urban Consumers provided by the Bureau of Labor Statistics, Department of Labor, on the administrative costs of operating the projects for which such assistance will be provided.

"(B) Adjustments.—The Director shall, to the fullest extent practicable, make appropriate adjustments in the amount referred to in subparagraph (A) to ensure the effective administration of such projects.

"(2) Notification of applicants.—The Director shall take reasonable actions to inform applicants for such assistance that such adjustments may be available.

"(b) Report.—

"(1) In general.—The Director shall submit each year, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report on the extent to which adjustments are made under subsection (a).

"(2) Substance of report.—With respect to each of parts A, B, and C of this title, the Director shall include in such report—

"(A) a summary of the number of, and purposes for which, such adjustments are requested by the recipients of grants and contracts under parts A, B, and C, respectively;

"(B) a description of the extent that such requests are accommodated; and

"(C) a statement explaining the decisions made by the Director with respect to the requested adjustments.".

SEC. 607. MULTIPLE-YEAR GRANTS OR CONTRACTS.

Title IV is amended by adding at the end thereof the following new section:

"SEC. 425. MULTIPLE-YEAR GRANTS OR CONTRACTS.

"The Director is authorized to approve an application for a contract or grant to carry out any project under this title for a multiple-year period. The applicant for such contract or grant shall not be required to submit a proposal for the continuation of such contract or grant during such period.".

SEC. 608. AMENDMENTS RELATING TO PARTNERSHIP AGREEMENTS ADDRESSING THE NEEDS OF THE POOR.

(a) General Authority.—Section 408(a)(1) of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b(a)(1)) is amended—

(1) by striking out "provide for the self-sufficiency of the Nation's poor" and inserting in lieu thereof "stimulate the development of new approaches to provide for greater self-sufficiency of the poor, to test and evaluate such new approaches, to disseminate project results and evaluation findings so that such approaches can be replicated, and to strengthen the integration, coordination, and redirection of activities to promote maximum self-sufficiency among the poor";

(2) in subparagraph (B) by striking out "or" at the end thereof;

(3) in subparagraph (C) by striking out the period at the end and inserting in lieu thereof "; and"; and

(4) by adding at the end thereof the following new subparagraph:

"(D) contain an assurance that the applicant for such grants will obtain an independent, methodologically sound evaluation of the effectiveness of the activities carried out with such grant and will submit such evaluation to the Secretary.".

(b) Limitations.—(1) Section 408(b)(1) of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b(b)(1)) is amended—

(A) by striking out "Grants" and inserting in lieu thereof "(A) Except as provided for in subparagraph (B), grants";

(B) by striking out "new" each place it appears; and

(C) by adding at the end thereof the following new subparagraph:

"(B) After the initial fiscal year that an eligible entity receives a grant under this section to carry out a program, the amount of a subsequent grant made under this section to such entity to carry out such program may not exceed 80 percent of the amount of the grant previously received by such entity under this section to carry out such program.".

(2) Section 408(b)(3) of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b(b)(3)) is amended—

(A) by inserting "in each fiscal year" after "one grant";

(B) by striking out "$250,000" and inserting in lieu thereof "$350,000"; and

(C) by adding at the end thereof the following new sentence: "Not more than two grants may be made under this section to an eligible entity to carry out a particular program.".

(c) DISSEMINATION OF RESULTS.—Section 408(c) of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b(c)) is amended to read as follows:

"(c) DISSEMINATION OF RESULTS.—As soon as practicable, but not later than 180 days after the end of the fiscal year that a recipient of a grant under this section completes the expenditure of such grant, the Secretary shall prepare and make available to each State and each eligible entity a description of the program carried out with such grant, any relevant information developed and results achieved, and an evaluation of such program so as to provide a model of innovative programs for other eligible entities.".

(d) DEFINITION.—Section 408(d)(1) of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b(d)(1)) is amended by inserting before the semicolon the following: ", except that such term includes an organization that serves migrant and seasonal farmworkers and that receives a grant under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) in the fiscal year preceding the fiscal year that such organization requests a grant under this section".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 408(e) of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b(e)) is amended—

(1) by striking out "is" and inserting in lieu thereof "are";

(2) by striking out "each of the fiscal years 1987, 1988, and" and inserting in lieu thereof "fiscal year"; and

(3) by inserting "and $6,500,000 for fiscal year 1990" after "1989".

(f) REPORT TO CONGRESS.—Section 408 of the Human Services Reauthorization Act of 1986 (42 U.S.C. 9910b) is amended—

(1) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (c) the following:

"(d) REPLICATION OF PROGRAMS.—

"(1) The Secretary shall annually identify programs that receive grants under this section that demonstrate a significant potential for dealing with particularly critical problems of the poor that exist in a number of communities.

"(2) Not less than 20 percent of the funds appropriated for each fiscal year to carry out this section shall be available to make grants under this section to replicate programs identified under paragraph (1) in additional geographical areas.

"(e) REPORT TO CONGRESS.—The Secretary shall submit annually, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report containing—

"(1) a description of programs that received grants under this section during the previous fiscal year; and

"(B) an evaluation of the effectiveness of such programs in such fiscal year; and

"(2) a description of the methods used by the Secretary to comply with subsection (c);

"(3) recommendations of the Secretary regarding the suitability of carrying out such programs with funds made available under other Federal laws; and

"(4) a description of each program identified under subsection (d)(1) or replicated under subsection (d)(2), and an identification of the geographical location where such program was carried out.".

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

SEC. 701. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS AUTHORIZATION.

(a) Volunteers in Service to America.—

Section 501(a)(1) (42 U.S.C. 5081(a)(1)) is amended in paragraph (1)—

(1) by striking out "and" after "1988,"; and

(2) by inserting before the period at the end thereof the following: ", $30,600,000 for fiscal year 1990, $39,900,000 for fiscal year 1991, $47,800,000 for fiscal year 1992, and $56,000,000 for fiscal year 1993";

(b) Vista Literacy Corps.—Section 501(a) (42 U.S.C. 5081) is amended—

(1) in paragraph (2)—

(A) by striking out "and" after "1988,";

(B) inserting before the period at the end thereof the following: ", $6,000,000 for fiscal year 1990, $8,000,000 for fiscal year 1991, $10,000,000 for fiscal year 1992, and $12,000,000 for fiscal year 1993"; and

(2) in paragraph (3), by striking out "1987, 1988, and 1989" and inserting in lieu thereof "1987 through 1993".

(c) Service-Learning Programs.—Section 501(b) (42 U.S.C. 5081(b)) is amended by inserting before the period at the end thereof the following: ", and $1,900,000 for fiscal year 1990, $2,000,000 for fiscal year 1991, $2,100,000 for fiscal year 1992, and $2,200,000 for fiscal year 1993";

(d) Special Volunteer Programs.—Section 501(c) (42 U.S.C. 5081(c)) is amended—

(1) in the first sentence, by inserting before the period at the end thereof the following: ", and $1,100,000 for fiscal year 1990, $1,150,000 for fiscal year 1991, $1,200,000 for fiscal year 1992, and $1,275,000 for fiscal year 1993"; and

(2) in the third sentence—

(A) by striking out the "and"; and

(B) by inserting after "1991" ", $5,250,000 for fiscal year 1992 and $5,500,000 for fiscal year 1993".

(e) Years of Volunteer Service.—Section 501(d) (42 U.S.C. 5081(d)) is amended in subsection (d)—

(1) by striking out "and" at the end of subparagraph (B);

(2) by striking out the period at the end of subparagraph (c) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new subparagraphs:

"(D) 2800 years of volunteer service in fiscal year 1990;

"(E) 3100 years of volunteer service in fiscal year 1991;

"(F) 3600 years of volunteer service in fiscal year 1992; and

"(G) 4100 years of volunteer service in fiscal year 1993.".

SEC. 702. PRIORITY.

Section 501(d) (42 U.S.C. 5081(d)) is amended by adding at the end thereof the following new paragraph:

"(4)(A) In applying criteria with respect to meeting the number of years of volunteer service under paragraph (1) for a fiscal year, the Director may not exclude the costs of complying with section 105(b)(2) for each volunteer under this part.

"(B) The minimum level of allowances for subsistence required under section 105(b)(2) to be provided to each volunteer under this part may not be reduced or limited in order to provide for the increase in the number of years of volunteer service specified in paragraph (1) for each of the fiscal years 1990 through 1993."

"(C) In the event that the Director determines that funds appropriated to carry out part A of title I are insufficient to provide for the years of volunteer service as required in paragraph (1), the Director shall, within a reasonable period of time in advance of the date on which such additional funds must be reallocated to satisfy the requirements of such subsection, notify the relevant authorizing and appropriating Committees of Congress. Funds shall be reallocated to part A of title I from amounts appropriated for part C of such title prior to the reallocation of funds appropriated for other parts.".

SEC. 703. ADMINISTRATION AND COORDINATION.

Section 504 (42 U.S.C. 5084) is amended—

(1) by inserting "(a) after "Sec. 504."; and

(2) by adding at the end thereof the following new subsection:

"(b) For each of the fiscal years 1990 through 1993, there is authorized to be appropriated for the administration of this Act, as authorized in title IV of this Act, 20 percent of the total amount appropriated under sections 501 and 502 of this Act.".

SEC. 704. OLDER AMERICAN VOLUNTEER PROGRAMS.

(a) Retired Senior Volunteer Program.—Section 502(a) (42 U.S.C. 5082(a)) is amended—

(1) by inserting after "appropriated" "not less than the amount appropriated in the previous fiscal year and not more than";

(2) by striking out "and" after "1988,"; and

(3) by inserting after "1989" the following: ", $39,900,000 for fiscal year 1990, $43,900,000 for fiscal year 1991, $48,300,000 for fiscal year 1992, and $53,100,000 for fiscal year 1993,".

(b) Foster Grandparent Program.—Section 502(b) (42 U.S.C. 5082(b)) is amended—

(1) by inserting after "appropriated" "not less than the amount appropriated in the previous fiscal year and not more than";

(2) by striking out "and" after "1988,"; and

(3) by inserting after "1989" the following: ", $70,800,000 for fiscal year 1990, $80,900,000 for fiscal year 1991, $91,700,000 for fiscal year 1992, and $98,200,000 for fiscal year 1993,".

(c) Senior Companion Program.—Section 502(c) (42 U.S.C. 5082(c)) is amended—

(1) by inserting after "appropriated" "not less than the amount appropriated in the previous fiscal year and not more than";

(2) by striking "and" after "1988,"; and

(3) by inserting after "1989" the following: ", $36,600,000 for fiscal year 1990, $39,000,000 for fiscal year 1991, $44,700,000 for fiscal year 1992, and $48,700,000 for fiscal year 1993,".

TITLE VIII—TECHNICAL AMENDMENTS

SEC. 801. AMENDMENTS TO TABLE OF CONTENTS.

The table of contents in the first section (42 U.S.C. prec. 1951) is amended—

(1) by inserting after the item relating to section 109 the following new item:

"Sec. 110. Applications for assistance by previous recipients.";

(2) by striking out the item relating to the heading for part B of title I and inserting in lieu thereof the following new item:

"Part B—Student Community Service Programs";

(3) by striking out the item relating to section 114 and inserting in lieu thereof the following new item:

"Sec. 114. Student community service program.";

(4) by striking out the item relating to section 124 and inserting in lieu thereof the following new item:

"Sec. 124. Drug abuse education and prevention services and activities.";

(5) by striking out the item relating to the heading of title II and inserting in lieu thereof the following new item:

"TITLE II—OLDER AMERICAN VOLUNTEER PROGRAM";

(6) by inserting after the item relating to the heading of title II the following new item:

"Sec. 200. Purposes.";

(7) by striking out the item relating to section 221 and inserting in lieu thereof the following new item:

"Sec. 221. Promotion of older American volunteer programs.";

(8) by adding at the end of the item relating to part D of title II the following new item:

"Sec. 225. Adjustments to Federal financial assistance.";

and

(9) by striking out the item relating to section 502 and inserting in lieu thereof the following new item:

"Sec. 502. Older Americans volunteer programs.".

SEC. 802. TECHNICAL AMENDMENTS.

The Act (42 U.S.C. 4951 et seq.) is amended—

(1) in the heading of title II (42 U.S.C. prec. 5001), by striking out "NATIONAL";

(2) in section 212(b) (42 U.S.C. 5012(b)), by striking out "a community action agency" and all that follows through the period and inserting in lieu thereof "an eligible entity as defined in section 673(1) of the Community Services Block Grant Act (42 U.S.C. 9902(1)).";

(3) in section 224 (42 U.S.C. 2054), by striking out "programs" and inserting in lieu thereof "projects"; and

(4) in the heading of section 502 (42 U.S.C. 5082) by striking out "NATIONAL".

TITLE IX—EFFECTIVE DATE

SEC. 901. EFFECTIVE DATE.

This Act and the amendments made by this Act shall become effective October 1, 1989, or on the date of the enactment of this Act, whichever occurs later.

I. SUMMARY OF THE BILL

As reported by the Committee, S. 1426 would authorize the Domestic Volunteer Service Act for fiscal years 1990, 1991, 1992 and 1993, and the Demonstration Partnership Agreements Addressing the Needs of the Poor for fiscal year 1990. The bill continues these very successful programs at higher authorization levels designed to create greater opportunities for volunteer involvement. In addition, amendments are included to increase public awareness of the programs and outreach, to modify the provisions on administrative expenses for projects and the ACTION agency, to support several new initiatives through VISTA and through the Older American Volunteer Programs, and to make other changes.

II. BACKGROUND AND NEED FOR LEGISLATION

The Domestic Volunteer Service Act of 1973, Public Law 93-113, provides legislative authority for the establishment of ACTION, the Federal agency which administers the domestic volunteer service programs. Title I of the Act, national volunteer antipoverty programs, encompasses Volunteers In Service To America (VISTA), VISTA Literacy Corps, Service-Learning Programs, and Special Volunteer Progams. Title II, the Older American Volunteer Programs (OAVP), encompasses the Retired Senior Volunteer Program (RSVP), the Foster Grandparent Program (FGP), and the Senior Companion Program (SCP). These programs were most recently reauthorized by the Domestic Volunteer Service Act Amendments of 1986, Public Law 99-551, which extended the programs through fiscal year 1989.

The national volunteer programs administered through the ACTION agency are designed to address and to alleviate the problems of the poor and disadvantaged of our nation. These programs afford volunteer opportunities to Americans from all walks of life and age groups to lend a helping hand to their neighbors in need. Every year, more than 500,000 volunteers provide critical assistance in communities across the nation. Because these programs have been shown to be highly effective and because there is wide interest in federal policy designed to expand volunteer opportunities, the Committee has significantly increased authorization levels for all ACTION programs and has included a number of new initiatives. In addition, the Committee has provided for an expansion of public awareness and recruitment activities, so that more potential volunteers and sponsoring organizations will become familiar with these very effective programs.

TITLE I—NATIONAL ANTIPOVERTY PROGRAMS

Part A—Volunteers in Service to America

VISTA, which was first authorized under the Economic Opportunity Act of 1964, was conceived as a domestic Peace Corps where volunteers would serve full-time in projects designed to reduce poverty. The original mandate was to "eliminate the paradox of poverty by opening to everyone the opportunity to work, and the opportunity to live in decency and dignity."

Since its inception, VISTA has maintained this mandate of helping others help themselves, and more than 100,000 Americans of all ages, occupations, ethnic backgrounds, and economic levels have served as volunteers. As of September 1988, there were approximately 2,600 VISTA volunteers serving in 600 antipoverty projects across the country.

Through VISTA, volunteers at least 18 years of age serve on a one-year, full-time basis. They generally live among those they serve and should receive a monthly subsistence allowance at least equal to the federal poverty level for a single individual. They remain available to the community 24 hours a day, 7 days a week.

Volunteers work with low-income individuals to help them overcome poverty-related problems and to improve their economic situation by increasing their capacity for self-reliance. They serve in urban areas, rural areas, and on Indian reservations. The volunteers are assigned to public and private non-profit sponsoring organizations which direct their activities and which involve the program receipients in the planning and operation of the projects. VISTA not only allows the volunteers an opportunity to lend their expertise and to serve the needs of the community through specific projects, but also develops the skills of community residents, thereby creating local leadership capacity and greater program self-sufficiency when VISTA assistance has ended.

VISTA volunteers play a unique role by working in a myriad of programs that reflect the community's needs, including employment programs, health clinics, refugee centers, battered women's shelters, food pantries, shelters for the homeless, literacy education programs, physical and chemical abuse prevention programs, and housing programs. They work with Native Americans, migrant farmworkers, the mentally and physically disabled, low-income senior citizens, incarcerated youth and adults, refugees, and other disadvantaged populations.

These volunteers have proven their ability to mobilize resources far and above their training, placement, and support costs. The average cost of a VISTA volunteer is about $8,000. According to the July, 1988 evaluation of VISTA, each volunteer is responsible for recruiting an average of 70 community volunteers, raising about 60 percent of all in-kind resources, and aiding the projects in servicing over 800 community members.

Section 109(c)—VISTA Literacy Corps

The 1986 amendments to the Domestic Volunteer Service Act of 1973 created the VISTA Literacy Corps. Its purpose is to develop, strengthen, supplement, and expand the efforts of public and nonprofit organizations to mobilize public and private sector financial and volunteer resources to address the problem of illiteracy throughout the United States. Volunteers are assigned to projects and programs that meet the antipoverty criteria of Part A and that provide assistance to functionally illiterate and illiterate individuals, with special emphasis on disadvantaged individuals at the greatest risk for illiteracy, and those with the lowest reading and educational level of competence. Volunteer responsibilities include the recruitment of low-literate students through community outreach, and the development of program materials (manuals, handbooks, etc.). VISTA volunteers act as catalysts in the development of literacy efforts and work to raise community awareness of the problems associated with illiteracy.

Although the ACTION Agency has not performed an evaluation of the Literacy Corps, the Friends of VISTA, a non-partisan, tax-exempt organization concerned with the VISTA program, conducted a survey of Literacy Corps programs in April of 1988. All of the project directors indicated that their VISTA volunteers were an integral part of their programs' success and that the level of activity performed by the project could not have been reached without these volunteers. Any loss of VISTA funds would result in severely decreased program activity, including, for some projects, an end to their initiatives.

The Oregon Office of Community Colleges, with the help of VISTA volunteers, was able to recruit and train more than 300 new tutor volunteers and initiate 13 new literacy classes, as well as raise approximately $15,000 in private funds. The VISTA Literacy project in Bellaire, Texas, was able to recruit and train over 661 new tutor volunteers and increase the number of students served from 2200 to 3000. They increased their number of literacy centers from 40 to 60 and generated over $125,000 in public and private funds.

PART B—STUDENT COMMUNITY SERVICE PROGRAM

The purpose of the Student Community Service Program is to link the needs of the disadvantaged with the resources of students interested in community service. The program awards grants to schools, community agencies, and national organizations which promote and encourage students on the secondary, post-secondary, and vocational education levels to undertake volunteer services in low-income communities through projects which seek to address human and social needs associated with poverty. These student volunteers serve on a part-time, non-stipended basis in programs which include tutoring, child care, drug abuse prevention, literacy, housing, health and work with the elderly. Through their volunteer activities, students gain valuable learning experiences which can enhance their sense of community and citizenship.

The University Year for ACTION (UYA) is a service learning program which provides postsecondary students with opportunities to volunteer in antipoverty projects in local communities, for which they may receive academic credit. Although this program remains in the statute, it has not received funding since fiscal year 1982.

PART C—SPECIAL VOLUNTEER PROGRAMS

Part C of Title I encompasses various special volunteer programs. The Citizen Participation and Volunteer Demonstration programs were created to mobilize citizens to volunteer in low-income communities to address the conditions that deny fulfillment of human potential and to demonstrate and replicate innovative volunteer efforts. These programs address areas of human and social concern in which citizens, as volunteers, can contribute toward individual self-reliance and community self-sufficiency. These programs make grants available to public agencies and private organizations, including voluntary associations, churches, corporations, or state and/or local governments.

The Drug Alliance program, created under the Anti-Drug Abuse Act of 1986, awards grants to non-profit community-based organizations, service and support groups, religious organizations, schools, and parent groups which utilize volunteers to promote drug abuse prevention and education programs. In the Omnibus Drug Act of 1988, the Drug Alliance was given the authority to create, extend, or expand community-based volunteer demonstration drug abuse education and prevention projects during the summer months. Activities supported by the ACTION Drug Alliance include the White House Conference for a Drug-Free America, the Organization of Boys Clubs, Big Brother/Big Sister, and "Just Say No" Clubs in urban housing projects, and assistance to the Illinois State Council of Senior Citizens in providing prescription and over-the-counter drug abuse information to seniors through a network of volunteers.

TITLE II—NATIONAL OLDER AMERICAN VOLUNTEER PROGRAMS

National Older American Volunteer Program

The Older American Volunteer Programs (OAVP), authorized under Title II of the Domestic Volunteer Service Act, consists of three distinct programs: the Retired Senior Volunteer Program (RSVP), the Foster Grandparent Program (FGP), and the Senior Companion Program (SCP). OAVP is the largest of ACTION program components, and in FY 1989 comprised 67 percent of total ACTION funding and supported the majority of ACTION's volunteer strength. Volunteers, who must be 60 years of age or older, work part-time in variety of community service activities. Project grants are awarded to local private, nonprofit or public sponsoring agencies which recruit, supervise, and support volunteers.

The programs serve two purposes: first, to provide opportunities for volunteer service on the part of older persons in the communities in which they live, and, second, to provide communities the experience, enthusiasm, and dedication of older volunteers. Through a wide range of activities, older volunteers provide assistance to persons with physical, mental, or social needs. Volunteers may provide services in homes, schools, hospitals, institutions, and other community facilities. Each of the programs is locally planned and operated.

Retired Senior Volunteer Program (RSVP)

RSVP was first authorized in 1969 under a separate title of the Older Americans Act of 1965, as amended, and was administered by the Administration on Aging (AoA) in the (then) Department of Health, Education, and Welfare (HEW). In 1971, as part of an executive branch reorganization, the program was transferred from AoA to ACTION, and in 1973 it was incorporated under Title II of the Domestic Volunteer Service Act of 1973. As first enacted, the program was intended to provide opportunities for community service on the part of older persons, and today the program carries this same objective.

Persons aged 60 or over may participate in the program. Volunteers offer their services to assist community agencies in providing youth counseling, literacy enhancement, crime prevention, refugee assistance, care for the disabled, drug prevention, and service to the homeless. They may serve in a wide variety of community settings including schools, libraries, hospitals, nursing homes, hospices, and courts.

RSVP volunteers do not receive hourly stipends as do volunteers under the FGP and SCP programs, but the law requires that they receive reimbursement for transportation, meals, and other out-of-pocket expenses associated with the provision of services.

In fiscal year 1989, ACTION has estimated that over 400,000 RSVP volunteers (including non-ACTION funded volunteers who serve under the auspices of the Federal program) will be contributing over 73 million hours of volunteer service through 750 project grants.

Foster Grandparent Program (FGP)

FGP was initially developed in 1965 as a cooperative effort between the Office of Economic Opportunity (OEO) and the Administration on Aging (AoA), and was jointly administered by these two agencies until 1969 when the program was given statutory authority under the Older Americans Act of 1965, as amended. Like the RSVP program, it was transferred to ACTION in 1971 as part of an executive branch reorganization, and in 1973 was incorporated under Title II of the Domestic Volunteer Service Act of 1973.

The program provides part-time volunteer opportunities for low-income persons aged 60 and over. Foster grandparents provide supportive services to children with physical, mental and emotional, or social disabilities, and are placed with nonprofit sponsoring agencies, such as schools, hospitals, child care centers, and institutions for the physically and mentally handicapped. Generally, volunteers provide individualized assistance to 3 or 4 children and serve 20 hours per week.

Volunteers receive a stipend of $2.20 per hour as well as transportation and meal assistance, insurance protection, and an annual physical examination. The law prohibits stipends from being subject to tax and from being treated as wages or compensation for purposes of unemployment, temporary disability, retirement, public assistance, workers compensation or similar benefits. In order to enroll in the program, volunteers must have income which is below 125 percent of the poverty guidelines issued by the Department of Health and Human Services (HHS), or 100 percent of those guidelines plus the amount each State supplements the Federal Supplemental Security Income (SSI) payments.

In fiscal year 1989 ACTION estimates that 27,600 foster grandparent volunteers (including non-ACTION funded volunteers who serve under the auspices of the Federal program) will serve approximately 70,000 children with exceptional or special needs in 262 community-based projects.

Senior Companion Program (SCP)

SCP was first authorized in 1973 under section 211(b) of Title II of the Domestic Volunteer Service Act of 1973. In 1981, the Omnibus Budget Reconciliation Act amended the Domestic Volunteer Service Act to create a separate Part C containing the SCP authorization.

The program provides part-time volunteer opportunities for low-income persons aged 60 or over. Senior Companions provide personal assistance and peer support to frail older persons and persons who have developmental disabilities. Volunteers may provide services to assist those persons who need community-based long-term care services, such as home health care or homemaker services. They may also assist institutionalized persons as well as those who have been receiving care in mental hospitals, nursing homes, and other institutions in order to ease their transition into the community.

As in the FGP program, volunteers serve 20 hours per week and receive a stipend of $2.20 per hour as well as transportation and meal assistance, insurance protection, and an annual physical examination. Stipends are subject to the same income protection as specified above for the FGP program.

In fiscal year 1989, ACTION estimates that 12,550 senior companions (including non-ACTION funded volunteers who serve under the auspices of the Federal program) will provide supportive services to over 30,000 homebound and institutionalized adults.

DEMONSTRATION PARTNERSHIP AGREEMENTS ADDRESSING THE NEEDS OF THE POOR

The Demonstration Partnership Agreements Addressing the Needs of the Poor program was enacted under section 408 of the Human Services Reauthorization Act of 1986 (P.L. 99-425). This section authorized a demonstration program to operate in conjunction with the Community Services Block Grant program with the unique purpose of developing and implementing new and innovative approaches to dealing with the particularly critical needs of the poor common to a number of communities.

Demonstration Partnership grants are to be made for projects which: are innovative and can be coordinated with a grantee's ongoing program; involve significant new combinations of resources;

are potentially replicable; and are evaluated by a third party, the results of which are disseminated to appropriate entities.

Grants under this authority may pay for a maximum of fifty percent of the costs of the project, with grantees paying for the remaining fifty percent from non-federal resources. This matching contribution may be derived from funds received from States, independent sources of funds, or plant, equipment, services or other non-cash contributions.

Since 1987, thirty-five grants have been awarded under the program addressing such areas as homelessness, self-employment, minority youth life skills, case management, and teenage pregnancy.

III. History of the Legislation

S. 1426, a bill to revise and extend the programs of the Domestic Volunteer Service Act of 1973, was introduced by Senator Christopher Dodd on July 20, 1989, and was referred to the Senate Committee on Labor and Human Resources. The bill was referred by the Chairman to the Subcommittee on Children, Family, Drugs and Alcoholism. A hearing on the reauthorization of the Domestic Volunteer Service Act was conducted by the Subcommittee on April 4, 1989. On August 1, 1989 the bill was unanimously polled from the Subcommittee. The bill was considered by the Committee on August 2, 1989. It was ordered to be reported favorably, with an amendment in the nature of a substitute, by a unanimous voice vote.

IV. Hearing

A hearing on reauthorization of the Domestic Volunteer Service Act was held by the Subcommittee on Children, Family, Drugs and Alcoholism of the Committee on Labor and Human Resources, on April 4, 1989. The following individuals provided testimony:

Donna Alvarado, Director, ACTION, accompanied by Jane Kenny, Deputy Director; Roland Goodman, Associate Director for Management and Budget, and Lowell Ginebach, Director, Planning, Policy and Budget Division.

The Honorable John D. Rockefeller, United States Senator, State of West Virginia.

Monsignor John J. Egan, Assistant to the President for Community Affairs, DePaul University, Chicago, Illinois, accompanied by Lisa Woll, Director, Friends of VISTA.

Derek Coelho, St. Francis House, Boston, Massachusetts.

Kevin G. Smith, Director, Literacy Volunteers of America—New York State, Inc., Buffalo, New York.

Nancy Wood, Director, Service Learning, Earlham College, Richmond, Indiana.

Winifred Dowling, President, National Association of RSVP Directors, El Paso, Texas.

Betty Pate Manley, President, National Association of Foster Grandparent Directors, San Jose, California.

Berryl Thompson, President, National Association of Senior Companion Directors, Opelousas, Louisiana.

V. COMMITTEE VIEWS

A. VOLUNTEERS IN SERVICE TO AMERICA—TITLE I OF THE DOMESTIC VOLUNTEER SERVICE ACT

Selection, recruitment and placement of volunteers

Section 101 of the bill amends section 103 of the Act to expand and improve the promotion, recruitment, selection, and assignment process associated with the VISTA program.

Witnesses at the reauthorization hearing expressed grave concerns about the minimal public awareness campaign developed by ACTION for the VISTA program and the lack of involvement by the Agency in the recruitment and placement of VISTA volunteers. In reflecting on his work over the past twenty-five years with community volunteers and VISTA sponsors, Monsignor John Egan, Assistant to the President for Community Affairs at DePaul University, described VISTA as "the best kept secret in the United States". He testified that the program is unknown to college students interested in volunteer opportunities, to organizations that need volunteers and to the public at large.

In the 1983 and 1986 reauthorizations of the Domestic Volunteer Service Act, Congress mandated the ACTION Agency to restore the national pubic awareness and recruitment activities for the VISTA program in previous years. The Agency has not established a meaningful and responsive mechanism aimed toward recruiting volunteers at the national level. Moreover, the activities that the Agency developed in response to the Congressional mandates, such as the toll-free number, the talent bank, and the college advertisements, have not produced significant results.

For example, as currently used, the toll-free "800 number" established by the Agency as a centralized information system does not effectively serve the needs of these individuals interested in the VISTA program. Callers receive limited assistance and are subsequently referred to either an ACTION state or regional office for more substantive information. For this reason, S. 1426 directs the Agency to maintain and modify the toll-free telephone system so that interested individuals receive current information about VISTA and may directly obtain applications for service from the Agency's national headquarters. The Committee does not intend the Agency to rely primarily on referring callers to other offices of the ACTION Agency, but, instead, to attempt to respond directly, as accurately as possible, to potential applicants with any and all information pertaining to the VISTA program.

The Committee finds ACTION's public awareness publications and informational materials to be insufficient and incomplete. For a program that should be changing and growing every year, the Committee expects that the material be updated to reflect these future changes. During a time of renewed interest in volunteer service among the youth of this country, the Committee believes that the placement of only two recruitment ads in college newspapers over the last year and a half has been inadequate.

For these reasons, the Committee has earmarked an increase in funds to enable ACTION to conduct more advertising, to update and have more frequent public service television and radio announcements, to do direct mailings, and to print ads reflecting the value of serving in the VISTA program.

It is the Committee's intent that ACTION spend at least $600,000 each fiscal year for VISTA and the VISTA Literacy Corps for public awareness and recruitment activities mandated in this bill. Thus, the estimated cost of a service year should reflect a proportionate expenditure for public awareness and recruitment activities. Additionally, ACTION shall use at least $200,000 from the amounts appropriated under section 504 for the support of VISTA recruitment activities, such as travel and training expenditures. These funds shall be used only for VISTA recruitment activities.

It is the Committee's intent that ACTION staff, particularly staff at the regional and state offices, disseminate current information through presentations made at institutions and organizations, especially at college campuses, where potential volunteers may be recruited. Because resources are limited, the Committee requires that ACTION consult with the Peace Corps to collaborate, whenever appropriate, in the coordination of such activities. It is also the intent of the Committee that ACTION involve former VISTA volunteers in the public awareness and recruitment activities. ACTION should make every effort possible to contact former volunteers who want to participate in national recruitment activities and to attempt to obtain such information, including names and addresses, from all sources available to the Agency.

The Committee is further concerned by the Agency's current policy of recruitment and placement of volunteers which delegates the majority of this responsibility to the local sponsoring organizations or the potential volunteer. The Committee heard testimony from Mr. Derek Coelho about the recruitment difficulties experienced by St. Francis House, a shelter for homeless adults in Boston. After successfully sponsoring 26 VISTA volunteers from 1985 through 1988, the organization has decided that the hidden costs of local recruitment are excessively burdensome. They concluded that energy and other resources drained by advertising and screening would be put to better use in direct services to the homeless. Mr. Coelho said "We were in desperate need of these resources (volunteers), but VISTA had asked much more of us than we could afford to provide.

The Committee believes that in order for the VISTA program to function most effectively, ACTION must not only publicize the program, but also develop national recruitment and placement procedures to serve both individuals who want to be placed away from their home communities and those who wish to serve locally. The Committee recognizes the benefit of local recruitment and placement and believes that it should continue; however, it is the intent of S. 1426 to supplement local recruitment with a greater national focus, and thus to provide opportunities to all who wish to serve in VISTA. S. 1426 requires that specific steps be taken towards this end. This expansion in recruitment, as well as increased public awareness activities, will be imperative in view of the increased VISTA volunteer service years required in sec. 701 of the amendments.

The Committee recognizes that some projects may wish to continue the recruitment of volunteers, and locally recruited volunteers will be given priority placement with the sponsoring organization that recruited them. However, the ACTION agency will be responsible for the recruitment of volunteers for those projects who do not wish to do so or who are unable to do so.

It is the Committee's intent that the Director establish a formal application process using the criteria set forth in the bill to approve, select and place volunteers from among the pool of qualified individuals submitting applications. The Committee intends that the ACTION Agency assume the primary responsibility of finding placements for all volunteers accepted into the program.

According to hearing testimony from the Agency, at present recruitment is handled at the national level by three staff members who answer the 800 number. There is no one else who has recruitment and placement as a primary responsibility. To facilitate the expanded procedures, S. 1426 requires that the Director appoint an Administrator of Recruitment and Placement and that the Director designate at least one regional or state ACTION employee in each region whose duties shall include assisting such region in carrying out the recruitment and evaluation functions, including interviewing applicants and evaluating applications. The Committee intends that the Administrator will maintain up-to-date information on existing and future VISTA placement opportunities. The applications of the most qualified applicants shall be sent to the Adminsitrator who shall make the final selection of individuals who will serve as VISTA volunteers and assign these individuals to projects. Assignments are to be made, to the maximum extent practicable, consistent with the needs and preferences of the sponsoring projects.

The Committee was disturbed to learn during reauthorization hearings that the number of youth in VISTA has dropped dramatically. In 1979, 47 percent of volunteers were between the ages of 18 and 27, whereas by 1989, only 18 percent of volunteers were in that category. Accordingly, this bill requires ACTION to ensure that not less than 20 percent of VISTA volunteers each year are between the ages of 18 and 27.

Finally, section 407 of this bill requires that the Director submit to Congress annually a report on recruitment activities, including the Agency's annual recruitment plan and data on applications, hiring, assignments, involvement of former volunteers, and staff assigned to recruitment duties. The Committee expects that this reporting mechansim will help to ensure more effective outreach and increased national and regional involvement in recruitment of volunteers.

Support services

Currently, the monthly VISTA stipend is $75. This stipend has not been raised since 1976. Consequently, the Committee has raised the stipend to $100 per month.

The Committee expects, and the bill requires, that the average subsistence allowance for VISTA volunteers for each fiscal year be no less than 105 percent of the poverty line for a single individual. The poverty line for a single individual is to be that expected in February of the fiscal year for which the appropriation is made. The Committee expects ACTION to put the increased allowance into effect at the beginning of each fiscal year and not delay adjustment until February. Further, the Committee expects that the subsistence allowance will not be reduced or limited to provide for the increase in the number of volunteer service years. In addition, the Committee expects that the ACTION Agency shall include such subsistence allowances, set at an average of 105% of the poverty line for a single individual, in the determination of the service year cost.

The Director shall ensure that the allowances for volunteers serving in areas in which the cost-of-living exceeds the national average shall be set to reflect the higher cost of food, shelter, transportation, fuel, and utilities. The Director shall seek to determine the cost-of-living within each state and whether there are significant local price differentials within the State, including urban/rural differentials. Also, the Director, in coordination with the ACTION state and regional offices, shall establish a method for assessing these cost-of-living differentials and for setting subsistence allowances based on living costs. It is the Committee's intent that the Director submit a report on such methods to the appropriate committees of the Congress no more than 90 days after the date of enactment of the fiscal year 1990 appropriation.

It is the intent of the Committee that the subsistence allowance increase for VISTA volunteers become effective the first full pay period after enactment of this legislation and after enactment of subsequent appropriations.

The Committee is concerned that the ACTION Agency has been inflexible in assisting volunteers in relocating to their initial VISTA projects and programs which may be outside their home communities. It is the committee's intent that ACTION reimburse all appropriate and reasonable travel costs related to a volunteer's initial placement and return at the end of service, whether the volunteer is serving within his or her own state or region, or in another part of the country.

Duration of assistance

Section 103 of the bill creates a new section 110 within Title I of the Act. This section prohibits the termination of assistance under the VISTA program to any project or sponsor solely on the basis of the duration of assistance the project has previously received. During consideration of S. 1426, the Committee found convincing evidence that ACTION's decisions on the renewal of assistance to projects were being driven almost exclusively by a fixation of the number of years projects had been funded. There were strong indications that the Agency had adopted an informal and unofficial policy of uniformly denying assistance to organizations that had received VISTA assistance for four years.

The Committee does not believe that VISTA assistance to an organization or project should be considered permanent and agrees that VISTA sponsors should be encouraged to achieve self-sufficiency by planning for the eventual phase-out of VISTA volunteers, as quickly as is practicable. However, it is the Committee's intent that the duration of assistance for a VISTA project or program not be set as a specific number of years. Instead, decisions about the renewal of assistance should be made with the same flexibility and sensitivity to the diversity of local community needs that characterizes the VISTA program as a whole. For this reason, section 103 requires ACTION to consider all applications for the renewal of assistance on an individualized, case-by-case basis, taking into account any extenuating circumstances which may have prevented an organization or project from attaining the goals it agreed upon in its original application, including achieving self-sufficiency.

The Committee expects, for example, that a project which seeks to establish a city-wide or county-wide service or program might well require more time to become self-sufficient than one which limited its focus to a single neighborhood. Similarly, a project which sought to establish a health care clinic or a homeless shelter might be expected to need assistance for a longer period than one with less ambitious and difficult goals.

The Committee recognizes that all VISTA projects operate in impoverished communities with limited resources and are thus likely to have some difficulty attaining self-sufficiency. Renewal determinations should be sensitive to this, considering not only the extent to which an organization or project has made actual progress in achieving self-sufficiency, but also the extent to which good faith efforts have been made, and the likelihood that further progress will be made if assistance is continued. The Committee also expects that the ACTION Agency will provide intensive and meaningful technical assistance to those projects which experience the greatest difficulties in becoming self-sufficient.

Section 103 also requires that new applications for assistance from organizations which have previously received assistance be considered on an equal basis with applications from organizations which have not received assistance, so long as the proposed project is clearly different and distinct from that for which they previously used VISTA volunteers. Since the central purpose of the VISTA program is to support and supplement efforts to eliminate poverty, those antipoverty groups which have had the greatest success in the past should not be penalized for their achievements. If an organization uses a VISTA volunteer to establish and institutionalize a child care center and then submits a new application for VISTA assistance to set up a legal aid clinic, its application should be considered no differently than an application from an organization which has never received VISTA assistance.

Finally, while the Director may generally consider the duration of previous assistance as one factor in evaluating renewal applications, section 103 precludes consideration of this factor in evaluation of applications from "umbrella" sponsoring organizations, such as the Washington County Community Action organization in Portland, Oregon, and the New York State Literacy Volunteers. These "umbrella" sponsors assume chief administrative responsibility for the VISTA program, preparing and submitting the application and performing other related fiscal year administrative duties, but do not actually utilize the services of the VISTA volunteers, assigning them instead to affiliated organizations in the community. For this reason, the duration of previous assistance is not a relevant or appropriate factor to consider in reviewing applications from these sponsors. The "umbrella" arrangement has proven to be an efficient means of administering the VISTA program in many communities, minimizing the paperwork buren on community-based organizations, and has also assured that VISTA volunteers are available to new and smaller groups which otherwise might not have the expertise or resources to apply independently on their own. The Committee therefore expects that the Director will not discourage organizations from utilizing such arrangements if they so choose.

The Committee intends that all applicants for assistance be fully informed of the provisions of section 103. Thus, all application forms, regulations and guidelines for VISTA funding must include these provisions no later than 60 days after enactment of the fiscal year 1990 appropriations.

Evaluation of Literacy Corps

Section 402 of the bill amends section 416 of the Act concerning the evaluation of the programs. The Committee is concerned that the agency has called for the elimination of the VISTA Literacy Corps without the benefit of any significant evaluation of the program. Therefore, S. 1426 requires the Director to evaluate the Literacy Corps as a separate program at least once every three years. Since the program has been in existence for three years, the Committee believes that an evaluation should be conducted within the next fiscal year.

Assignment of volunteers to work on health care problems

Section 601 of the bill specifies that VISTA volunteers may be assigned to work in addressing significant health care problems, including chronic and life-threatening illnesses and health care for homeless individuals (especially homeless children).

For example, it would be appropriate to assign volunteers to outpatient pediatric programs for homeless children in agencies and institutions which have health stations like the New York Children's Health Project based at the New York Hospital-Cornell Medical Center. These stations, staffed by physicians, nurse practioners, and other health care personnel, provide (but are not limited to) health and development assessments, immunizations, acute medical care, simple lab procedures and referrals for community and consult services. VISTA volunteers could assist in the provision of these services, as escorts to referral appointments and to do general follow-up of homeless children and their families.

Similarly, the Committee urges that volunteers be assigned to programs serving persons with immune deficiency syndrome, including boarder babies.

Technical and financial assistance for literacy programs

Section 604 of the bill creates a new subsection within section 123 of Title I to expand assistance to literacy programs. With the severe problems of illiteracy which plague this nation, it is only appropriate that all avenues of assistance be fully utilized to address this issue. Therefore, it is the intent of the Committee that the Director provide assistance for identification, development and dissemination of effective literacy materials and programs, by grant or contract, to public and private non-profit organizations whose principal purpose is the combating of illiteracy and its associated problems.

The Director shall consult with the national clearinghouse on literacy education as designated under section 372(d)(2) in providing and coordinating such assistance. Exemplary projects for which information is provided shall include demonstration programs and programs effective in combating illiteracy. Activities assisted under this subsection may include: (1) training volunteers of such organizations to provide services with respect to such purposes; (2) carrying out demonstration projects to identify materials that are effective in carrying out such purposes, or demonstration projects to develop such materials, or both; (3) carrying out demonstration projects to identify model programs for use in carrying out such purposes or demonstration projects to carry out such programs, or both; and (4) disseminating to such non-profit organizations the information developed as a result of such demonstration projects carried out under this section and as a result of such evaluations of programs that develop new and innovative solutions to illiteracy problems and that involve more effective and extensive use of volunteers.

Section 605 authorizes the Director to provide technical assistance, by grant or contract, to employers for worksite literacy programs. In both sections 604 and 605, it is the Committee's intent that the terms "grant or contract" be construed to encompass direct payments.

Authorization of appropriations for Title I programs

Section 701 of the bill amends section 501 of the Act to authorize the appropriations for each of the fiscal years 1990, 1991, 1992, and 1993. To carry out the programs under Part A of Title I (except section 109) $30,600,000 for fiscal year 1990, $39,900,000 for fiscal year 1991, $47,800,000 for fiscal year 1992, and $56,000,000 for fiscal year 1993 is authorized respectively. These authorization levels are intended to provide for the significant increase in service years described below, which will restore the combined number of VISTA and Literacy Corps volunteers to approximately the level available in 1975.

This section also provides for separate line authorizations for the programs under section 109 to expand the number of VISTA Literacy Corps volunteers in literacy programs of projects under part A of Title I. For the fiscal years 1990, 1991, 1992, and 1993, the sums of $6,000,000, $8,000,000, $10,000,000, and $12,000,000, respectively, are authorized to carry out section 109(c) and $1,000,000 annually for each of the fiscal years 1990, 1991, 1992, and 1993, are authorized to carry out section 109(d).

The section provides for Part B of Title I (Service Learning Programs), $1,900,000 for 1990, $2,000,000 for 1991, $2,100,000 for 1992, and $2,200,000 for 1993. For Part C of Title I, authorizations are $1,100,000 for 1990, $1,150,000 for 1991, $1,200,000 for 1992, and $1,275,000 for 1993. In addition, there is authorized for drug abuse prevention, $5,250,000 for fiscal year 1992 and $5,500,000 for fiscal year 1993.

The section further provides that from the funds appropriated for all Title I programs, including section 109(c) and 109(d), there must first be available for efforts under Part A (other than section 109) amounts not less than are necessary to provide 2800 volunteer service years in fiscal year 1990; 3100 volunteer service years in fiscal year 1991; 3600 volunteer service years in fiscal year 1992; and 4100 volunteer service years in fiscal year 1993.

Since the inception of the Domestic Volunteer Service Act in 1973, the Congress has mandated a floor for the VISTA program. In each subsequent reauthorization, the legislation provided that of the total funds appropriated for Title I programs, a specific amount of funds must first be made available for the VISTA program. With the passage of the Domestic Volunteer Service Amendments of 1983, the funding floor was converted to a service year floor rather than a specific dollar amount. A service year is determined as the total direct and indirect cost of maintaining one VISTA volunteer for one year. The 1983 legislation mandated that of the total funds appropriated for Title I programs, there must first be made available funds adequate to produce a minimum of 2000, 2200, and 2400 full-time VISTA volunteer service years in fiscal years 1984, 1985, and 1986, respectively. This same mechanism was adopted in the 1986 amendments, requiring that there first be made available funds to provide for a minimum of 2400, 2500, and 2600 volunteer service years in fiscal years 1987, 1988, and 1989, respectively.

This funding floor mechanism sets VISTA as the priority Title I program and ensures that VISTA first receives a certain minimum funding level prior to providing funding for other Title I programs. VISTA has survived for 25 years, in part, due to the mandate provided to the program by virtue of a funding or service year floor. In this bill, the Committee requires that in the event that there are not sufficient funds appropriated to Part A of Title I to provide for the years of volunteer service required, the funds shall first be reallocated from Part C. Within a reasonable time in advance of any reallocation, the Director is required to notify Congress of the need for reallocation.

The bill further amends section 504 of the Act to authorize an appropriation for the administration and coordination of the ACTION Agency. This appropriation is authorized to be an amount equal annually to 20 percent of the total amount appropriated for Title I and II for each of the fiscal years 1990 through 1993.

Clarification of assignment of Literacy Corps volunteers

The statute contains a requirement in section 109(c)(3) that the Director give priority in assigning volunteers under the Literacy Corps as constituted under Part A and section 109 to projects and programs that meet certain criteria, such as serving individuals who read at the zero to fourth grade level. The criteria are intended to direct services to individuals who are most in need of services and are among those least likely to be served in other literacy programs. Information provided to the Committee during the 1986 reauthorization of the Domestic Volunteer Service Act indicated that many existing literacy programs outside the ACTION agency failed to reach individuals at the lowest levels of reading comprehension and individuals at the lowest economic levels. In providing the priorities for section 109, the Committee intended that the section 109 program be directed toward these traditional VISTA constituencies.

While the Director must consider each of the listed criteria in reaching decisions on the most worthy applicants, the Director has the authority to give greater weight to individual criteria in order to best meet the overall VISTA anti-poverty requirement and the objective of serving those most in need of services. For example, the Committee would like to clarify that no project or program is required to show that all or a majority of its clients read at the zero to fourth grade level in order to be eligible for funding under this section.

The Committee anticipates that the Director will use his or her authority to ensure the use of section 109 funds for the highest possible quality literacy efforts serving those at the lowest economic levels and those with the lowest reading proficiency skills and will use such discretion as is necessary to carry out this objective.

B. OLDER AMERICAN VOLUNTEER PROGRAMS—TITLE II OF THE DOMESTIC VOLUNTEER SERVICE ACT

Projects of national and local significance

S. 1426 provides new authority for the Director of ACTION to make grants to OAVP projects to increase volunteer opportunities for Older Americans in specific issue areas, described in the bill as "projects of national and local significance". The base authorization of each of the three Older American Volunteer Programs is increased for this purpose by $6 million for RSVP, $9 million for Senior Companions, and $9 million for Foster Grandparents, with the remaining increase in the authorization level intened for the stipend increase, the cost-of-living adjustments, and new program development.

The "Projects of National and Local Significance" concept is modeled after the successful RSVP literacy initiative that was developed several years ago by the National Association of RSVP Directors in cooperation with B. Dalton Booksellers, Laubach Literacy Action, and ACTION. In the case of that initiative, interested RSVP projects applied for seed money grants in the $2,000 to $5,000 range to develop adult literacy components. Many more projects applied than there were funds to distribute. Material submitted to the Committee indicates that the project was very successful, and will serve well as a model for expanded volunteer opportunities in other service areas.

Such grants will be made to OAVP programs that respond to an identified local community need, with priority given to work in the areas of national significance identified in section 225(f). The priority programs will: assist individuals with chronic and debilitating illnesses such as immune deficiency syndrome, decrease drug and alcohol abuse, work with teenage parents, match senior volunteers with youth who need guidance, conduct adult and school-based literacy programs, provide respite care, participate in before and after-school programs, including those offered by public libraries, work with boarder babies and with children in child care, and with developmentally disabled adults. The Committee intends for the Director to fund at least several projects in each of the areas designated in the bill.

An example of the type of "project of national and local significance" envisioned by the Committee is the "Family Friends" intergenerational demonstration project being conducted by the National Council on Aging with support from the Robert Wood Johnson Foundation. The "Family Friends" project is demonstrating, at eight sites throughout the country, that trained senior volunteers can provide critical support services to families caring for their disabled or chronically ill children at home. A June, 1989 General Accounting Office report identified the absence of such support services as a key variable in the decision to deinstitutionalize disabled or chronically ill children.

It is the Committee's intent that the grants be used primarily to expand the services of projects currently receiving funds under the title II of the Act, in addition to establishing a small number of new projects.

Stipend increase

S. 1426 amends section 211(d) of the Act to provide for an increase in the stipend provided to low-income foster grandparent and senior companion volunteers. Since 1984, these volunteers have earned $2.20 per hour working twenty hours per week with special needs children in the case of Foster Grandparents, and frail older individuals in the case of Senior Companions. S. 1426 authorizes a fifteen cent stipend increase in 1991, and an additional fifteen cent increase in 1992, bringing the hourly stipend up to $2.50.

FGP and SCP volunteers meet specific low-income eligibility requirements in order to participate in the programs. Volunteers' incomes must be below 125 percent of the proverty level, or 100 percent of poverty plus the amount each state supplements the federal Supplemental Security Income (SSI) payments.

In accordance with present law, the stipend increase can be provided in a given year only if appropriations levels provided are sufficient to maintain the preceding year's number of federally-supported volunteers and to cover the cost of the stipend increase.

The Committee is aware that ACTION has entered into Memorandums of Agreement with a number of Foster Grandparent and Senior Companion project sponsors who receive either full or partial funding from non-federal sources to support stipends of enrolled volunteers. The Committee anticipates that when stipends are increased for federally-sponsored volunteers, the non-federally supported projects will endeavor to provide similar increases to their volunteers. Therefore, the Committee urges ACTION to notify in a timely fashion those project sponsors and non-federal funding sources about this change in the authorized stipend level so that arrangements can be made to ensure that funding will be available in the coming fiscal years for a commensurate stipend increase for the non-federally supported Foster Grandparent and Senior Companion volunteers. The legislation provides a one-year delay in the stipend increase to allow time for such notification and arrangements to be made. In cases where projects may have difficulty in raising additional funds from their non-federal sources to finance the stipend increase, the Committee expects that ACTION will provide both technical and financial assistance so that all volunteers can benefit from any future stipend increases.

Volunteers without stipends

The 1986 amendments to the Older American Volunteer Programs included a provision allowing non-low-income persons to participate in the Foster Grandparent and Senior Companion Programs if the following conditions were met: a Retired Senior Volunteer Program was not accessible to the volunteer; any reimbursements paid to the volunteer would be paid with privately raised funds; and the Director did not require the use of such volunteers.

In testimony submitted to the Subcommittee, OAVP Project Directors expressed concern that they are being increasingly pressured to use nonstipended volunteers in their projects. The Directors suggest that such coercion is evident in grant renewal documents that call for increased numbers of nonstipended volunteers in Foster Grandparent and Senior Companion projects, and in project progress reports that include, as a rating factor, the numbers of such volunteers serving in individual projects.

The Committee responded to these concerns by amending section 211(f) with a sentence stating that the Director may not coerce any applicant for, or recipient of, Foster Grandparent or Senior Companion grants or contracts to participate in the nonstipended program. The Committee expects that its intent concerning this amendment will result in the elimination of reporting requirements with respect to nonstipended volunteers in any documents that ACTION uses to evaluate, rate, or monitor Foster Grandparent or Senior Companion projects. However, such data could be included in the Basic Human Needs report, or other documents simply stating the number of volunteers that have worked in each area of "human need." The bill also amends existing authority by allowing the use of nonstipended volunteers in FGP and SCP in communities that have a [illegible] Senior Volunteer Program if the prospective volunteer is first referred to the RSVP project, but an RSVP placement cannot be made.

The Committee envisions the non-stipended effort as being only a small component of the traditional Foster Grandparent or Senior Companion Programs. In fiscal year 1989, for instance, fewer than 100 volunteers participated as nonstipended volunteers. These volunteers included spouses of stipended volunteers, formerly stipended volunteers who are phasing out of the program, and prospective volunteers who are waiting for a full-time position to become available. This level of activity is consistent with the Committee's understanding and expectation of the nature of the nonstipended volunteer effort. It is not expected that project directors be required to actively recruit individuals to serve as nonstipended volunteers.

Promotion of programs

S. 1426 contains a new section 221(d) requiring the Director of ACTION to ensure that special efforts are made to publicize the RSVP, Foster Grandparents and Senior Companion Programs.

Testimony presented to the Subcommittee called attention to the need for ACTION to develop promotion, recruitment and public awareness materials to ensure the success of ongoing efforts to increase the number of volunteers. National RSVP Association President Winifred Dowling testified that:

> Although RSVP volunteers make up 80 percent of all ACTION volunteers * * * during the last few years there had been no policy of placing articles about RSVP volunteers in national publications; the last film was made in 1979; the last RSVP television spot aired four years ago; there have been no new RSVP flyers or brochures for several years; the Older American Volunteer Program publication has been discontinued; and RSVP is scarely mentioned even in ACTION's in-house newsletter.

New subsection 221(b) requires that the Director of ACTION encourage and facilitate the efforts of private organizations that promote the Older American Volunteer Programs and that promote the involvement of older persons as volunteers. Those over age sixty are the fastest growing segment of our population and are living longer, healthier, and more active lives. Communities can benefit greatly from the volunteer activities provided by seniors. Private organizations can assist ACTION n giving visibility to the contributions that older persons can make and in creating the environment for expansion of volunteer opportunities.

The National Associations of RSVP, Foster Grandparents and Senior Companion Directors are organizations that are well-equipped to enhance volunteer opportunities. Past contributions by these organizations have included developing public/private partnerships to expand ACTION's ability to support senior volunteer programs, providing technical assistance to program Directors such as instruction in methods to raise non-federal funds for senior volunteer programs, sponsoring national recognition events and working within the aging volunteer network to expand awareness of the benefits of senior volunteerism. ACTION is urged to work closely with these and other organizations to expand opportunities for senior volunteerism.

An amendment to Title II of the bill earmarks an amount of funds not to exceed $250,000 for ACTION to develop appropriate public awareness materials for each of the three Older American Volunteer Programs. Examples of the types of material which would be useful are: posters, recruitment brochures containing information on the programs, public service announcements for use on radio and television, clip-art, program specific videotypes or slides.

It is the Committee's intent that any funds which the Appropriations Committee allocates pursuant to ACTION's fiscal year 1990 budget request ($83,000) for this purpose be counted toward the total to be expanded under this provision.

Project administrative costs

S. 1426 amends part D of title II of the Act by adding a new section 226, "Adjustments to Federal Financial Assistance."

Testimony presented to the Subcommittee indicated that project grant increases have not kept pace with the rate of inflation and that the ability of programs to grow and to meet operating expenses has been primarily dependent on the ability of projects to raise private funds. At the same time, these private funds are becoming increasingly difficult to access due to an increased demand for limited non-federal dollars.

As a preliminary step toward addressing this difficult situation, the bill contains provisions directing that when renewing grants under Title II, the Director is required to take into account the impact of inflation on the ability of Older American Volunteer Program grantees and to make adjustments in grant renewals to ensure the effective administration of the programs under Title II. The Director is to inform new and existing grantees that such adjustments in funding will be considered. Associated with this provision is a requirement that the Director keep a record and provide to Congress a report summarizing the number and types of increased assistance requested during grant renewals, the extent to which requests for assistance are accommodated, and a description of the method used for evaluating such requests.

The Committee understands that ACTION has available some resources to relieve part of the administrative cost burden faced by projects. Project supplements for administrative costs could be provided through increased appropriations, if available; through the use of unexpanded balances from the preceding fiscal year; or through adjustments achieved by allowing projects greater flexibility in allocating funds for administration and direct benefits to volunteers.

Clarification of certain sections of title II

In response to concerns presented during the reauthorization, the Committee finds it necessary to clarify its intent regarding certain sections of the unamended text of Title II.

In sections 211 and 421, the Act states that "in determining who is 'poor' or 'low income' the Director shall take into consideration existing poverty guidelines as appropriate to local situations." The Committee intends that the term "local situations" be construed such that poverty levels for counties are utilized when appropriate. For example, statewide or regional programs located in states where the poverty level varies significantly may need county-based adjustments rather than state-based adjustments in order to successfully recruit low-income seniors throughout the state or region.

The Committee has been informed that the ACTION Agency currently uses a Memorandum of Agreement procedure to enable nonfederal funded programs to affiliate with the Agency. One of the terms of the agreement provides that eligibility for the income disregard provisions of the Act are allowed, provided stipends do not exceed the level authorized by ACTION. The Committee finds this procedure appropriate and intends that the terms "grant" and "contracts" in sections 211 and 213 be construed to encompass such Memorandums of Agreement.

Approximately 25 nonfederally funded projects are affiliated with ACTION. Although these projects receive no federal funds, they are subject to administrative and reporting requirements applicable to federally funded projects. The Committee urges the Director to take steps to reduce the administrative and reporting requirements for nonfederally funded projects, while maintaining the accountability necessary to affiliation. For example, the Committee suggests that affiliation agreements be for longer than one year, consistent with the Agency's new multiple-year grant authority, and that reports be less frequent than quarterly.

VI. VOTES IN COMMITTEE

On August 2, 1989, the Chairman of the Committee on Labor and Human Resources, Senator Kennedy, convened an Executive Session of the Committee on Labor and Human Resources to consider S. 1426.

An amendment in the nature of a substitute was unanimously approved by a voice vote. The Committee then ordered reported S. 1426 as amended by a unanimous voice vote.

VII. COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 15, 1989.

Hon. EDWARD M. KENNEDY,
Chairman, Committee on Labor and Human Resources, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for S. 1426, the Domestic Volunteer Service Act, as ordered reported by the Senate Committee on Labor and Human Resources on August 2, 1989.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER.

Attachment.

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: S. 1426.
2. Bill title: Domestic Volunteer Service Act of 1989.
3. Bill status: As ordered reported by the Senate Committee on Labor and Human Resources on August 2, 1989.
4. Bill purpose: To revise and extend the programs of the Domestic Volunteer Service Act of 1973, and for other purposes.
5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1990	1991	1992	1993	1994
COMMUNITY SERVICES BLOCK GRANT					
Demonstration partnership agreements:					
Authorization level	7				
Estimated outlays	4	2			
DOMESTIC VOLUNTEER SERVICE ACT					
VISTA operations:					
Authorization level	31	40	48	56	
Estimated outlays	19	36	45	53	22
VISTA Literacy Corps:					
Authorization level	6	8	10	12	
Estimated outlays	4	7	9	11	5

[By fiscal years, in millions of dollars]

	1990	1991	1992	1993	1994
VISTA Literacy Corps Tutor Program:					
Authorization level	1	1	1	1	....
Estimated outlays	1	1	1	1	(1)
Service Learning Program:					
Authorization level	2	2	2	2	....
Estimated outlays	1	2	2	2	1
Special Volunteer Programs:					
Authorization level	1	1	1	1	....
Estimated outlays	1	1	1	1	(1)
Drug abuse prevention:					
Authorization level			5	6	....
Estimated outlays			3	5	2
Retired Senior Volunteer Program:					
Authorization level	40	44	48	53	....
Estimated outlays	24	42	46	51	21
Foster Grandparent Program:					
Authorization level	71	81	92	98	....
Estimated outlays	43	76	87	95	38
Senior Companion Program:					
Authorization level	37	39	45	49	....
Estimated outlays	22	37	42	47	19
Program administration:					
Estimated authorization level	38	43	50	56	....
Estimated outlays	23	40	47	53	22
Subtotal, Domestic Volunteer Service Act:					
Estimated authorization level	226	259	302	334	....
Estimated outlays	137	241	285	321	130
Bill total:					
Estimated authorization level	332	259	302	334	....
Estimated outlays	142	243	285	321	130

[1] Less than $500,000.

Note.—The details in this table may not add to totals due to rounding.

The costs of this bill fall within budget function 500.

Basis of estimate: S. 1426 would revise and extend programs authorized in the Domestic Volunteer Service Act through 1993. In addition, the Demonstration Partnership Agreements Program, under the Community Services Block Grant, would be extended through fiscal year 1990. Thie estimate assumes that all authorizations are fully appropriated at the beginning of each fiscal year. Outlays are estimated using spendout rates computed by CBO on the basis of recent program data.

Authorization levels were stated in the bill for all of the provisions except program administration. The bill would authorize 20 percent of the amounts appropriated under the Domestic Volunteer Service Act to be used for program administration in fiscal years 1990 through 1993. Assuming that the authorization levels stated in this bill for programs within the Domestic Volunteer Service Act were fully appropriated in each fiscal year, the amounts authorized for program administration would be $37.6 million in fiscal year 1990 and would increase to $55.6 million by fiscal year 1993.

6. Estimated cost to State and local government: None.
7. Estimate comparison: No.

8. Previous CBO estimate: The CBO prepared an estimate on June 22, 1989, for H.R. 1312, the Domestic Volunteer Service Act Amendments of 1989, as ordered reported by the House Committee on Education and Labor on June 8, 1989.

9. Estimate prepared by: Lori Housman.

10. Estimate approved by: C.G. Nuckols, for James L. Blum, Assistant Director for Budget Analysis.

VIII. Regulatory Impact Statement

The Committee has determined that there will be little increase in the regulatory burden or in paperwork imposed by this bill.

IX. Section-by-Section Analysis

Section 1. Short title and table of contents

This section designates this Act as the Domestic Volunteer Service Act Amendments of 1989 and sets out the table of contents.

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

Section 101. Selection and assignment of volunteers

This section requires the ACTION Director to obligate not less than $600,000 of annual VISTA and Literacy Corps appropriations and not less than $200,000 of administrative funds for volunteer recruitment and public awareness activities.

The Director is required to appoint a national Administrator of Recruitment and Placement and to designate at least one regional or State ACTION employee in each region to carry out such activities. The national placement office is to maintain a central information system to assist individuals in learning of VISTA volunteer openings and to assist projects in locating individuals for assignment.

This section establishes a formal application process for the selection of VISTA volunteers and requires the Director of the ACTION Agency to provide volunteer assignments to qualified applicants which, to the maximum extent practicable, are consistent with their preferences and abilities. No volunteer may be assigned to any project, however, without its approval and consent.

Authorized activities include radio and TV public service announcements, print advertising, direct mail, and presentations made by Agency personnel at institutions of higher education and other entities. The Administrator must consult with the Director of the Peace Corps to coordinate recruitment and public awareness efforts and is required to involve former VISTA volunteers.

An annual recruitment plan is to be developed at the start of each fiscal year to identify specific volunteer recruitment goals and the activities which will be undertaken during the year. By the beginning of fiscal year 1991 not less than 20 percent of VISTA volunteers must be between 18 and 27 years of age.

Section 102. Support services

This section increases the monthly stipend for VISTA volunteers from $75 to $100 and requires that the average subsistence allowances paid to VISTA volunteers for housing, clothing, and living expenses be no less than 105 percent of poverty level income for a single individual. The Director is required to adjust the subsistence allowance where the cost of living exceeds the national average and to report to Congress on the method for setting subsistence allowances.

Section 103. Applications for assistance by previous recipients

This section prohibits the termination of assistance under the VISTA program to any project or organization solely on the basis of the duration of assistance the project has previously received. New applications for assistance from organizations which have previously received assistance are to be considered on an equal basis with those which have not received assistance, so long as the proposed project is clearly distinct from previously-funded activities. The provisions of Section 103 must be included in all applications for assistance and any regulations or guidelines issued for the VISTA program.

TITLE II—STUDENT COMMUNITY SERVICE PROGRAMS

Section 201. Change in general reference to programs

This section changes the title of part B of Title I from "Service Learning Programs" to "Student Community Service Programs".

TITLE III—SPECIAL VOLUNTEER PROGRAMS

Section 301. Authority to establish and operate programs

Section 301 limits the size of grants or contracts which may be made under part C of Title I to no more than $250,000.

Section 302. Special initiatives

Section 303 changes the title of Section 124 of Title I from "Special Initiatives" to "Drug Abuse Education and Prevention Services and Activities". The Director is required to give priority in awarding drug abuse prevention grants to communities, including those in rural areas, which have not previously received such assistance. The Director shall provide for the evaluation of all projects conducted with funds under this section. All drug abuse prevention grants exceeding $10,000 must include data on appropriate use of funds.

TITLE V—ADMINISTRATION AND COORDINATION

Section 401. Reports

Section 401 requires an annual report from the Director to Congress on recruitment activities.

Section 402. Evaluation

Section 402 requires a separate evaluation of the VISTA literacy corps at least once every three years.

Section 403. Definitions

Section 403 defines the poverty line.

TITLE V—OLDER AMERICAN VOLUNTEER PROGRAMS

Section 501. Purposes

This section adds a purpose statement to Title II to clarify and highlight the value and benefits of the OAVP programs.

Section 502. Projects of national and local significance

This section adds specific authority for grants for volunteers to serve in programs for individuals with chronic and debilitating illnesses, drug and alcohol abuse prevention, teenage parents, youth who need guidance, adult and school-based literacy, respite care, before- and after-school programs in libraries, boarder babies, children in child care, and care of developmentally disabled adults.

Section 503. Increase in stipend

This section increases the stipend for foster grandparent and senior companion volunteers from the current $2.20 per hour to $2.35 per hour in fiscal 1991 and $2.50 per hour in fiscal 1992. This section also amends the existing authority for persons who are not low-income to serve as foster grandparent and senior companion volunteers without stipends by allowing this practice in the same communities as RSVP projects if these persons are first referred to the RSVP project and a placement is not made, and by strengthening the provisions prohibiting ACTION from coercing projects into accepting or recruiting nonstipended volunteers.

Section 504. Promotion of programs

This section adds new requirements for the Director: (1) to take steps to ensure that special efforts are made to publicize each of the older volunteer programs, (2) to encourage and facilitate efforts of private organizations to promote OAVP programs and senior volunteerism, and (3) to expend not less than $250,000 annually for activities that publicize programs.

TITLE VI—GENERAL PROVISIONS

Section 601. Health care problems

This section expands the list of programs to which VISTA volunteers can be assigned by adding those that address health care problems, especially those of homeless children. This section also requires maintenance of records regarding the Section 109(g)(1) requirement that Literacy Corps funds be used to supplement, not supplant, other VISTA literacy work.

Section 602. Oath or affirmation

Section 602 contains a technical amendment which eliminates an obsolete reference to the Peace Corps Act.

Section 603. Limitation on funds appropriated for grants and contracts

Section 603 requires the Director to notify Congress when more than 16 percent of VISTA funds are obligated for grants which directly support volunteers.

Section 604. Technical and financial assistance for improvement of volunteer programs

Section 604 allows technical and financial assistance to nonprofit organizations which address the problems of illiteracy.

Section 605. Special initiatives

Section 605 allows technical assistance to emoployers for work-site literacy programs.

Section 606. Administrative costs

Section 606 adds a new section in Part D of Title II requiring the Director to take into consideration in awarding OAVP grants and contracts the impact of inflation on the administrative costs of operating projects and to report to Congress on how this section is implemented.

Section 607. Multiple-year grants or contracts

Section 607 authorizes multiple-year grants or contracts.

Section 608. Amendments relating to partnership agreements addressing the needs of the poor

This section makes several changes in this program, including: (1) clarifying the purposes of the program; (2) requirng an evaluation component; (3) increasing the maximum grant from $250,000 to $350,000; (4) allowing an eligible entity to compete for one continuation grant per project at a maximum funding level of 80 percent of the original grant and to compete for additional grants once a demonstration has been completed; (5) earmarking not less than 20 percent for the replication of previously funded projects; (6) requiring that results of completed demonstrations be disseminated to States and eligible entities with 180 days after the end of the fiscal year in which such grants are completed; (7) requiring a report to Congress on the programs funded under this act; (8) including migrant and seasonal farmworker organizations as eligible to receive grants; and (9) authorizing $6.5 million in fiscal year 1990.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

Section 701. National volunteer antipoverty programs authorizations

Authorizes funds for VISTA under part A of Title I at $30,600,000 for fiscal year 1990, $39,900,000 for fiscal year 1991, $47,800,000 for fiscal year 1992, and $56,000,000 for fiscal year 1993.

Authorizes funds for the VISTA Literacy Corps under part A of Title I at $6,000,000 for fiscal year 1990, $8,000,000 for fiscal year 1991, $10,000,000 for fiscal year 1992, and $12,000,000 for fiscal year 1993.

Authorizes funds for part B of Title I at $1,900,000 for fiscal year 1990, $2,000,000 for fiscal year 1991, $2,100,000 for fiscal year 1992, and $2,200,000 for fiscal year 1993.

Authorizes funds for part C of Title I at $1,100,000 for fiscal year 1990, $1,150,000 for fiscal year 1991, $1,200,000 for fiscal year 1992, and $1,275,000 for fiscal year 1993.

Authorizes funds for drug abuse prevention at $5,250,000 for fiscal year 1992 and $5,500,000 for fiscal year 1993.

Requires that of funds appropriated for Title I, there shall first be available an amount necessary for part A to provide 2800 volunteer service years in 1990, 3100 volunteer service years in 1991, 3600 volunteer service years in 1992, and 4100 volunteer service years in 1993.

Section 702. Priority

This section states that in meeting volunter service year requirements, the Director must comply with subsistence allowance levels and other required volunteer expenses. This section also specifies that in the event that part A funds are not sufficient to provide required volunteer service years, the Director must notify Congress and first reallocate funds from part C to part A.

Section 703. Administration and coordination

Authorizes for administration 20 percent of the total amount appropriated under sections 501 and 502 for fiscal years 1990 through 1993.

Section 704. Older American volunteer programs

Authorizes funds for Retired Senior Volunteer Program at $39,900,000 for fiscal year 1990, $43,900,000 for fiscal year 1991, $48,300,000 for fiscal year 1992, and $53,100,000 for fiscal year 1993.

Authorizes funds for Foster Grandparent Program at $70,800,000 for fiscal year 1990, $80,900,000 for fiscal year 1991, $91,700,000 for fiscal year 1992, and $98,200,000 for fiscal year 1993.

Authorizes funds for Senior Companion Program at $36,600,000 for fiscal year 1990, $39,000,000 for fiscal year 1991, $44,700,000 for fiscal year 1992, and $48,700,000 for fiscal year 1993.

TITLE VIII—TECHNICAL AMENDMENTS

Sections 801 and 802 make technical corrections and conforming changes in the table of contents and in Titles II and V of the Domestic Volunteers Services Act of 1973.

TITLE IX—EFFECTIVE DATE

Section 901. Effective date

This act shall become effective on October 1, 1989, or on the date of enactment, whichever occurs later.

X. CHANGES IN EXISTING LAW

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change in proposed is shown in roman):

Domestic Volunteer Service Act of 1973

(Public Law 93-113)

* * * * * * *

TABLE OF CONTENTS

Sec. 2. Volunteerism policy.

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

Part A—Volunteers in Service to America

Sec. 101. Statement of purpose.
Sec. 102. Authority to operate VISTA program.
Sec. 103. Assignment of volunteers.
Sec. 104. Terms and periods of service.
Sec. 105. Support services.
Sec. 106. Participation of beneficiaries.
Sec. 107. Participation of older persons.
Sec. 108. Limitations.
Sec. 109. VISTA Literacy Corps.
Sec. 110. Applications for assistance by previous recipients.

[Part B—Service-Learning Programs]

Part B—Student Community Service Programs

Sec. 111. Statement of purpose.
Sec. 112. Authority to operate University Year for ACTION program.
Sec. 113. Special conditions.
[Sec. 114. Special service-learning programs.]
Sec. 114. Student community service program.

Part C—Special Volunteer Programs

Sec. 121. Statement of purpose.
Sec. 122. Authority to establish and operate programs.
Sec. 123. Technical and financial assistance for improvement of volunteer programs.
Sec. 124. Drug abuse education and prevention services and activities.

[TITLE II—NATIONAL OLDER AMERICAN VOLUNTEER PROGRAMS]

TITLE II—OLDER AMERICAN VOLUNTEER PROGRAM

Part A—Retired Senior Volunteer Program

Sec. 200. Purposes.
Sec. 201. Grants and contracts for volunteer service projects.

Part B—Foster Grandparent Program

Sec. 211. Grants and contracts for volunteer service projects.
Sec. 212. Conditions of grants and contracts.

Part C—Senior Companion Program

Sec. 213. Grants and contracts for volunteer service projects.

Part D—General Provisions

[Sec. 221. Coordination with other Federal programs.]
Sec. 221. Promotion of older American volunteer programs.
Sec. 222. Payments.
Sec. 223. Minority group participation.
Sec. 224. Use of locally generated contributions in older American volunteer programs.
Sec. 225. Programs of national local significance.
Sec. 226. Adjustments to Federal financial assistance.

TITLE IV—ADMINISTRATION AND COORDINATION

Sec. 401. Establishment of agency.

Sec. 402. Authority of the Director.
Sec. 403. Political activities.
Sec. 404. Special limitations.
Sec. 405. [Repealed.]
Sec. 406. Labor standards.
Sec. 407. Reports.
Sec. 408. Joint funding.
Sec. 409. Prohibition of Federal control.
Sec. 410. Coordination with other programs.
Sec. 411. Prohibition.
Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
Sec. 413. [Repealed.]
Sec. 414. Distribution of benefits between rural and urban areas.
Sec. 415. Application of Federal law.
Sec. 416. Evaluation.
Sec. 417. Nondiscrimination.
Sec. 418. Eligibility for other benefits.
Sec. 419. Legal expenses.
Sec. 420. Requirements for prescribing regulations.
Sec. 421. Definitions.
Sec. 422. Audit.
Sec. 423. Reduction of paperwork.
Sec. 424. Review of project renewals.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

Sec. 501. National volunteer antipoverty programs authorization.
[Sec. 502. National older Americans volunteer programs.]
Sec. 502. Older Americans volunteer programs.
Sec. 503. [Repealed.]
Sec. 504. Administration and coordination.
Sec. 505. Availability of appropriations.

TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
Sec. 602. Creditable service for civil service retirement.
Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
Sec. 604. Repeal of title VI of the Older Americans Act.

ASSIGNMENT OF VOLUNTEERS

SEC. 103. (a) * * *

* * * * * * *

(4) in addressing the special needs connected with alcohol and drug abuse prevention, education, and related activities, consistent with the purpose of this part; [and]

(5) in addressing significant health care problems, including chronic and life-threatening illnesses and health care for homeless individuals (especially homeless children) through prevention, treatment, and community-based care activities; and

[(5)] *(6)* in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act or the Community Service Block Grant Act, titles VIII and X of the Economic Opportunity Act of 1964, the Headstart act, or the Community Economic Development Act of 1981, in furtherance of the purpose of this title.

[(b) The Director shall establish, at a cost not to exceed, $250,000, procedures to recruit and place individuals from all walks of life, age groups, economic levels, and geographic areas to serve as VISTA volunteers. The procedures shall include an information system to ensure that potential applicants are made aware of the

broad range of VISTA volunteer opportunities and a system to identify and place qualified volunteers where their skills are most needed. The Director shall also establish procedures for national and local recruitment, media and public awareness efforts, and specialized campaigns designed to recruit recent college graduates, special skilled volunteers, and individuals 55 years of age and older. The Director, wherever feasible and appropriate, shall assign low-income community volunteers to serve in their home communities in teams with nationally recruited specialist volunteers. The Director shall make efforts to assign volunteers to serve in their home or nearby communities and shall make national efforts to attract other volunteers to serve in the VISTA program. The Director shall also, in the assignment of volunteers, recognize that the community identified needs which cannot be met in the local area, and the individual desires of VISTA volunteers in regard to placement in various geographic areas of the Nation, should be taken into consideration.]

(b)(1) The Director shall establish, at a cost of not less than $600,000 from amounts appropriated under section 501 for each fiscal year, national, regional, and State procedures to inform the public of the volunteer service opportunities VISTA provides to Americans from diverse backgrounds, age groups, economic levels, and geographic areas, and to recruit and assign the most qualified applicants to serve in VISTA.

(2) The Director shall use not less than $200,000 from the amounts appropriated under section 504 for the support of VISTA recruitment activities, such as travel and training expenditures.

(3) The Director shall appoint a national Administrator of Recruitment and Placement (hereinafter in this section referred to as the "Administrator"). The Director shall hire, as necessary, additional national, regional, and State employees to carry out recruitment and placement functions in a timely and effective manner. In each region, the Director shall designate at least one regional or State ACTION employee whose duties shall include assisting such region in carrying out the recruitment and application evaluation functions described in this section.

(4) The Director shall establish recruitment and placement procedures that offer opportunities for both local and national placement of volunteers. The procedures for the recruitment, selection, and placement of volunteers shall be carried out by—

(A) making applications for VISTA service available from national, regional, or State offices;

(B) informing individuals who request an application of the manner in which applications shall be submitted; and

(C) forwarding applications received at the national or State office to the regional office representing the State in which the applicant resides.

(5) Each application shall—

(A) indicate the period of time during which the applicant is available to serve as a volunteer under this part;

(B) describe the previous education, training, military and work experience, and any other relevant skills or interests of the applicant; and

(C) specify the State or geographic region in which the applicant prefers to be assigned; and

(D) specify—

(i) the type of project or program to which the applicant prefers to be assigned; or

(ii) the particular project or program to which the applicant prefers to be assigned.

(6) The regional or State employees designated in paragraph (3) shall assist in interviewing applicants and evaluating applications. When the interview process of applicants is completed, such employees shall send the applications of the most qualified applicants to the Administrator.

(7) The Administrator, in conjunction with such regional or State employees, shall engage in public awareness and recruitment activities. Such activities shall include—

(A) public service announcements through radio, television, and the print media;

(B) advertising through the print media, direct mail, and other means;

(C) disseminating information about opportunities for service as a volunteer under this part to relevant entities, including institutions of higher education and other educational institutions (including libraries), professional associations, community-based agencies, youth service and volunteer organizations, business organizations, labor unions, senior citizens organizations, and other institutions and organizations from or through which potential volunteers may be recruited;

(D) disseminating such information through presentations made personally by employees of the ACTION Agency or other designees of the Director, to students and faculty at institutions of higher education and to other entities described in subparagraph (C), including presentations made at the facilities, conventions, or other meetings of such entities;

(E) publicizing the student loan deferment and forgiveness opportunities available to VISTA volunteers under parts B and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.), and including such information in all applications and recruitment materials;

(F) providing, on request, technical assistance with the recruitment of volunteers under this part to programs and projects receiving assistance under this part; and

(G) maintaining and publicizing a national toll-free telephone number through which callers may obtain information about opportunities for service as a volunteer under this part, and request and receive an application for such service.

(8) In designing and implementing the activities authorized under this section, the Director shall seek to involve individuals who have formerly served as volunteers under this part to assist in the dissemination of information concerning the program under this part. The Director may reimburse the costs incurred by such former volunteers for such participation, including expenses incurred for travel.

(9) The Administrator shall—

(A) maintain up-to-date information on existing and future VISTA placement opportunities;

(B) make the final selection of individuals who will serve as VISTA volunteers from the applications sent from the regional offices, and assign the individuals in projects;

(C) assign applicants within VISTA, to the extent practicable, consistent with the abilities, experiences, and preferences of each applicant as set forth in the application and consistent with the needs and preferences of projects or programs approved for the assignment of such volunteers;

(D) consult with the Director of the Peace Corps to coordinate the recruitment and public awareness activities carried out under this subsection, with those of the Peace Corps, and to develop joint procedures and activities for the recruitment of volunteers to serve under this part; and

(E) develop, at the beginning of each fiscal year, an annual plan for the recruitment of volunteers under this part that—

(i) describes in detail (including the cost) the recruitment and public awareness activities carried out during the preceding fiscal year and evaluates the effectiveness of such activities;

(ii) identifies methods and goals for the recruitment of volunteers during the existing fiscal year, including specific methods and goals for the recruitment of individuals 55 years of age and older, individuals between 18 and 27 years of age (inclusive), recent graduates of institutions of higher education, and special skilled volunteers; and

(iii) describes in detail (including the expected cost) the recruitment and public awareness activities that shall be undertaken throughout the year to achieve the goals specified in clause (i); and

(iv) describes in detail (including the expected cost) the recruitment and public awareness activities that shall be undertaken throughout the year to achieve the goals for the recruitment of individuals described in clause (ii).

(10) If feasible and appropriate, low-income community volunteers shall be given the option of serving in the home communities of such volunteers in teams with nationally recruited specialist volunteers. The Director shall make efforts to assign volunteers to serve in their home or nearby communities and shall make national efforts to attract other individuals to serve in the VISTA program. The Director shall also, in the assignment of volunteers, recognize that the community-identified needs that cannot be met in the local area, and the individual desires of VISTA volunteers in regard to the various geographical areas of the United States, should be taken into consideration.

(11) A sponsoring organization of VISTA may recruit volunteers. The Administrator shall give a locally recruited volunteer priority for placements in a sponsoring organization of VISTA that recruited such volunteer.

(12) If an applicant under this part who is recruited locally becomes unavailable for service prior to the commencement of service, the recipient of the project grant or contract may replace such applicant with another qualified applicant approved by the Director.

(13) The Director shall ensure that not less than 20 percent of all volunteers under this part are 55 years of age or older and that, by the beginning of fiscal year 1991 and for each fiscal year thereafter, not less than 20 percent of all such volunteers are between 18 and 27 years of age, (inclusive).

* * * * * * *

SUPPORT SERVICE

SEC. 105. (a)(1) The Director may provide a stipend to volunteers, while they are in training and during their assignments, enrolled for periods of service of not less than one year under this part, except that the Director may, on an individual basis, make an exception to provide a stipend to a volunteer enrolled under this part for an extended period of service not totaling one year. Such stipend shall not exceed **[**$75**]** *$100* per month during the volunteer's service, except that the Director may provide a stipend not to exceed **[**$75**]** *$100* per month in the case of persons who have served for at least one year and who, in accordance with standards established in regulations which the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.

* * * * * * *

(b)*(1)* The Director shall also provide volunteers such living, travel (including travel to and from places of training), and leave allowances, and such housing, supplies, equipment, subsistence, clothing, health and dental care, transportation, supervision, preservice training and where appropriate in-service training, technical assistance and such other support as the Director deems necessary and appropriate to carry out the purpose and provisions of this part, and shall insure that each such volunteer has available such allowances and support as will enable the volunteer to carry out the purpose and provisions of this part and to effectively perform the work to which such volunteer is assigned.

(2) The Director shall set the subsistence allowance for volunteers under paragraph (1) for each fiscal year so that the average subsistence allowance is no less than 105 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) for a single individual as expected in each fiscal year.

(3)(A) The Director shall consult with regional and State offices of the ACTION Agency to make a determination of the cost of living within each State and whether there are significant local price differentials within the State.

(B) The Director shall adjust the subsistence allowances for volunteers serving in areas that have a higher cost of living than the national average to reflect such higher cost.

(4) The Director, in coordination with regional and State offices of the ACTION Agency and taking into account paragraphs (2) and (3), shall establish a method for setting subsistence allowances. The Director shall submit a report on such methods to the appropriate

authorizing committees of Congress no more than 90 days after the date of enactment of the fiscal year 1990 appropriation.

* * * * * * *

VISTA LITERACY CORPS

SEC. 109. (a) * * *

* * * * * * *

(g)(1) Funds made available under section 501(a) for the purposes of this section shall be used to supplement and not supplant the level of services provided under part A in fiscal year 1986 to address the problem of illiteracy. *The Director shall ensure that records are maintained to indicate the degree of compliance with this requirement.*

APPLICATIONS FOR ASSISTANCE BY PREVIOUS RECIPIENTS

SEC. 110. (a) DURATION.—The Director shall not deny assistance under this part to any project or program, or any public or private nonprofit organization, solely on the basis of the duration of the assistance such project, program, or organization has previously received under this part.

(b) CONSIDERATION OF APPLICATION.—The Director shall consider each application for the renewal of assistance under this part to any project or program on a case-by-case basis, taking into account—

(1) the extent to which the sponsoring organization has made good faith efforts to achieve the goals agreed on in the application of such project or program; and

(2) any extenuating circumstance beyond the control of the sponsoring organization that may have prevented, delayed, or otherwise impaired the achievement of such goals.

(c) NEW PROJECT OR PROGRAM.—The Director shall consider each application for assistance under this part to a new project or program, that is submitted by a public or private nonprofit organization that has previously received such assistance (so long as such new project or program is clearly distinct from activities for which the organization has previously received such assistance), on an equal basis with all other applications for such assistance and without regard for the fact that the organization has previously received such assistance.

(d) RENEWAL OF ASSISTANCE.—In considering a request for a renewal of assistance under this part, the Director may not apply the duration of previous assistance against any entity that is—

(1) functioning as an intermediary between the Director and organizations requesting such renewal and receiving such assistance; and

(2) utilized by such organizations—

(A) to prepare and submit applications for such assistance to the Director; and

(B) to perform other administrative functions and services associated with applying for and receiving such assistance.

(e) NOTICE.—The Director shall ensure that the provisions of this subsection are included in—

(1) an application developed by the agency for use by individuals who request assistance under this part for a project or program; and

(2) any regulation or guideline issued for the program established under this part.

* * * * * * *

[PART B—FOSTER GRANDPARENT PROGRAM]

PART B—STUDENT COMMUNITY SERVICE PROGRAMS

STATEMENT OF PURPOSE

SEC. 111. (a) The purpose of this part is to assist students, through service-learning *and community service* programs, to undertake volunteer service in such a way as to enhance the educational value of the service experience, through participation in activities that strengthen and supplement efforts to eliminate and alleviate poverty and poverty-related problems. Its purpose further is to provide technical assistance and training to encourage other students and faculty to engage in volunteer service on a part-time, self-supporting basis, to meet the needs of the poor in the surrounding community through expansion of service-learning *and community service* programs and otherwise.

* * * * * * *

[SPECIAL SERVICE-LEARNING PROGRAMS]

STUDENT COMMUNITY SERVICE PROGRAMS

SEC. 114. (a) The Director is authorized to make grants and contracts for technical assistance, training, and projects which encourage and enable students in secondary, secondary vocational, and postsecondary schools to participate in service-learning *and community service* programs on an in-school or out-of-school basis in assignments of a character and on such terms and conditions as are described in subsections (a) and (e) of section 103. Any project assisted under this part shall meet the anti-poverty criteria of section 111 and contain an educational and service component.

* * * * * * *

AUTHORITY TO ESTABLISH AND OPERATE PROGRAMS

SEC. 122. (a)(1) * * *

* * * * * * *

(2) No grant or contract exceeding $50,000 shall be made under this part unless the grantee or contractor has been selected by a competitive process which includes public announcement of the availability of funds for such grant or contract, general criteria for the selection of recipients or contractors, and a description of the application process and application review process.

(3) The amount of a grant made, or contract entered into, under this part may not exceed $250,000, unless the Director determines at

the end of a fiscal year that a greater amount is required due to exceptional circumstances.

[(3)**]** *(4)* Multiple grants or contracts to the same grantee or contractor within any one year to support activities having the same general purpose shall be deemed to be a single grant for the purpose of this subsection, but multiple grants or contracts to the same grantee or contractor to support clearly distinct activities shall be considered separate grants or contracts.

* * * * * * *

TECHNICAL AND FINANCIAL ASSISTANCE FOR IMPROVEMENT OF VOLUNTEER PROGRAMS

SEC. 123. *(a)* The Director may provide technical and financial assistance to Federal agencies, State and local governments and agencies, and private nonprofit organizations, which utilize or desire to utilize volunteers in connection with carrying out the purpose of this part. Such assistance may be used to facilitate and improve (1) methods of recruiting, training, or utilizing volunteers, (2) technical assistance and training programs, including the creation or expansion of private capabilities where possible and the development of voluntary organizations, with particular emphasis on low-income, minority, and community-based groups, or (3) the administration of volunteer programs. In providing such technical and financial assistance, the Director shall utilize, to the maximum extent feasible, existing programs, and shall seek to avoid duplication of existing programs in the public or private sectors.

(b) The Director may provide technical and financial assistance to nonprofit organizations conducting operations in more than one area of a State and in more than one State, that are engaged in, or wish to become involved in, activities that have been principally designed to address the problems of illiteracy. Such technical and financial assistance may be provided by grant or contract, and shall be used to enable such nonprofit organizations—

(1) to prepare and broadly disseminate training and technical assistance relating to the use of volunteers in literacy programs to agencies, organizations, and individuals; and

(2) to seek new and innovative solutions to literacy problems that involve the more effective and extensive use of volunteers.

DRUG ABUSE EDUCATION AND PREVENTION SERVICES AND ACTIVITIES

SEC. 124. (a) * * *

* * * * * * *

[(3) The Director may not limit the number of years for which eligible entities may apply for and receive grants.**]**

[(4)**]** *(3)* For the purposes of this subsection, the term "high-risk youth" has the meaning given such term in section 5122(b)(2) of the Elementary and Secondary Education Act of 1965.

(c) In awarding grants and contracts under this section, the Director shall give priority to drug abuse education and prevention projects that serve communities, including rural communities, that have not previously received assistance under this part.

(d) The Director shall provide for the evaluation of activities and projects conducted with financial assistance received under this section. An application for a grant, for such activities and projects, under this section in excess of $10,000 shall include data on the appropriate use of funds within the communities where such activities and projects are carried out.

(e) The Director is authorized to provide technical assistance, by grant or contract, to employers who have established or wish to establish worksite literacy programs to assist such employers in obtaining, training, and integrating volunteers into worksite literacy programs.

TITLE II—[NATIONAL] OLDER AMERICAN VOLUNTEER PROGRAMS

PART A—RETIRED SENIOR VOLUNTEER PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 200. PURPOSES.—It is the purpose of—

(1) this title to provide for Older American Volunteer Programs, comprised of the Retired Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, that empower older individuals to contribute to their communities through volunteer service, enchance the lives of the volunteers and those whom they serve, and provide communiites with valuable services;

(2) part A, the Retired Senior Volunteer Program, to utilize the vast talents of older individuals willing to share their experiences, abilities, and skills in responding to a wide variety of community needs;

(3) part B, the Foster Grandparent Program, to afford low-income older individuals an opportunity to provide supportive, individualized services to children with exceptional or special needs; and

(4) part C, the Senior Companion Program, to afford low-income older individuals the opportunity to provide personal assistance and companionship to other older individuals through volunteer service.

* * * * * * *

PART B—FOSTER GRANDPARENT PROGRAM AND OLDER AMERICAN COMMUNITY SERVICE PROGRAMS

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 211. (a) * * *

* * * * * * *

(d) The Director, in accordance with regulations the Director shall prescribe, may provide to low-income persons serving as volunteers under this part, such allowances, stipends, and other support as the Director determines are necessary to carry out the purpose of this part. Any stipend or allowance provided under this subsection shall not be less than $2.20 per hour *until September 30, 1991, $2.35 per hour during fiscal year 1991, and $2.50 per hour on* *and after October 1, 1992,* except that (1) no increase in the stipend or allowance shall be made pursuant to this sentence unless the funds appropriated for carrying out this part are sufficient to maintain for the fiscal year in question a number of participants to serve under this part at least equal to the number of such participants serving during the preceding fiscal year, and (2) in the event that sufficient appropriations for any fiscal year are not available to increase any such stipend or allowance provided to [$2.20 per hour,] *the minimum hourly rate specified in this sentence,* the Director shall increase the stipend or allowance to such amount as appropriations for such year permit consistent with clause (1) of this exception.

* * * * * * *

(f)(1)(A) * * *

* * * * * * *

(C) Individuals who are not low-income persons may not serve as volunteers under this part in any community in which there are volunteers serving under part A of this title *unless such individuals have been referred previously for possible placement as volunteers under part A and such placement did not occur.*

* * * * * * *

[(3) The Director may not require as a condition of receiving a grant or contract to carry out a project under this part, any application for such grant or contract—

[(A) to accept individuals who are not now-income persons to serve as volunteers under this part; or

[(B) to solicit locally generated contributions, in cash or in kind, to support such individuals.]

(3) The Director may not take into consideration, require, or coerce, as a condition of receiving a grant or contract to carry out a project under this part, any applicant for or recipient of such grant or contract—

(A) to accept or recruit individuals who are not low-income individuals to serve as volunteers under this part; or

(B) to solicit locally generated contributions, in cash or in kind, to support such individuals.

* * * * * * *

CONDITIONS OF GRANTS AND CONTRACTS

SEC. 212. (a)(1) * * *

* * * * * * *

(b) The term "community action agency" as used in this section means [a community action agency as defined in title II of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2781–2837)] *an eligible entity as defined in section 673(1) of the Community Services Block Grant Act (42 U.S.C. 9902(1)).*

[COORDINATION WITH OTHER FEDERAL PROGRAMS]

PROMOTION OF OLDER AMERICAN VOLUNTEER PROGRAMS

SEC. 221. *(a) IN GENERAL.*—In carrying out this title, the Director shall consult with the Departments of Labor and Health and Human Services, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs, and shall promote the coordination of projects under this title with other public or private programs or projects carried out at State and local levels. Such Federal agencies shall cooperate with the Director in disseminating information about the availability of assistance under this title and in promoting the identification and interest of low-income and other older persons whose services may be utilized in projects under this title.

(b) PUBLICIZING THE PROGRAMS.—

(1) IN GENERAL.—The Director shall take appropriate actions to ensure that special efforts are made to publicize the programs established in parts A, B, and C, in order to facilitate recruitment efforts, encourage greater participation of volunteers, and emphasize the value of volunteering to the health and well-being of volunteers and the communities of such volunteers. Such actions shall include informing recipients of grants and contracts under this title of all informational materials available from the Director.

(2) PARTICIPATION OF PRIVATE ORGANIZATIONS AND OLDER INDIVIDUALS.—In carrying out this title, the Director shall encourage and facilitate the efforts of private organizations to promote the programs established in parts A, B, and C of this title and the involvement of older individuals as volunteers in such programs.

(3) FUNDING.—From funds appropriated under section 502, the Director shall expend not less than $250,000 in each fiscal year to carry out paragraph (1).

* * * * * * *

PART D—GENERAL PROVISIONS

* * * * * * *

USE OF LOCALLY GENERATED CONTRIBUTIONS IN OLDER AMERICAN VOLUNTEER PROGRAMS

SEC. 224. Whenever locally generated contributions made to volunteer [programs] *projects* for older Americans under this title are in excess of the amount required by the Director, the Director may not restrict the manner in which contributions are expended if expenditures from locally generated contributions are not inconsistent with the provisions of this Act.

PROGRAMS OF NATIONAL AND LOCAL SIGNIFICANCE

SEC. 225. (a) IN GENERAL.—The Director shall establish, within each program authorized under this title, a program for making grants to support programs that address national problems on a local level.

(b) Use of Grants.—The recipient of a grant under the program established under subsection (a) shall use such grant to provide creative solutions to urgent problems.

(c) Awarding of Grants.—

(1) Establishment of program.—There is established the "Programs of National and Local Significance" program. Under the program, the Director shall award grants each year to programs administered under this title to respond to an identified community need.

(2) Awards.—

(A) In General.—The grants authorized under paragraph (1) may be awarded to both existing and new projects.

(B) Limitation.—A grant under paragraph (1) may not exceed $150,000 per year.

(3) Criteria for awarding grants.—

(A) In general.—Under the program established under paragraph (1), the Director shall award grants based on a demonstration by an applicant that such grant will enable such applicant to uniquely and effectively respond to an identified community need.

(d) Use of Grants.—A program receiving a grant under subsection (a) shall demonstrate that assistance provided by such grants shall be used to increase—

(1) the total number of volunteers supported by such projects; and

(2) the number of volunteers in such projects engaged in responding to the identified community need referred to in subsection (g) for which such grant was made.

(e) Dissemination of Information.—The director shall disseminate information on the Programs of National and Local Significance established under this section to field personnel of the ACTION Agency and other community volunteer organizations that request such information.

(f) Priority.—Priority for grants under this section shall be given to the following programs of national significance—

(1) programs that assist individuals with chronic and debilitating illnesses such as immune deficiency syndrome;

(2) programs designed to decrease drug and alcohol abuse;

(3) programs that work with teenage parents;

(4) mentoring programs that match senior volunteers with youth who need guidance;

(5) adult and school-based literacy programs;

(6) respite care, including care for frail elderly individuals and disabled or chronically ill children living at home;

(7) before and after-school programs, sponsored by organizations such as libraries, that serve children of working parents;

(8) programs working with boarder babies;

(9) programs serving children who are enrolled in child care programs with priority given to those serving children with special needs; and

(10) the provision of care to developmentally disabled adult individuals residing in home and community-based settings including, when appropriate, the involvement of older develop-

mentally disabled individuals as Older American Volunteer Program volunteers.

(g) FUNDING.—

(1) AMOUNTS TO BE MADE AVAILABLE.—Notwithstanding any other provision of law, the Director shall make amounts under section 502 available to carry out this section.

(2) DIRECTOR.—The Director shall not make grants under this section within a program authorized under this title unless the amount appropriated under section 502 for such program, for the fiscal year that such grants are made, exceeds 105 percent of the amount appropriated for the preceding fiscal year for such program.

* * * * * * *

ADJUSTMENTS TO FEDERAL FINANCIAL ASSISTANCE

SEC. 226. (a) DETERMINING ASSISTANCE.—

(1) CONSUMER PRICE INDEX.—

(A) IN GENERAL.—In determining the amount of Federal financial assistance to be provided under this title to applicants, the Director shall consider the impact of changes in the Consumer Price Index For All Urban Consumers provided by the Bureau of Labor Statistics, Department of labor, on the administrative costs of operating the projects for which such assistance will be provided.

(B) ADJUSTMENTS.—The director shall, to the fullest extent practicable, make appropriate adjustments in the amount referred to in subparagraph (A) to ensure the effective administration of such projects.

(2) NOTIFICATION OF APPLICANTS.—The Director shall take reasonable actions to inform applicants for such assistance that such adjustments may be available.

(b) REPORT.—

(1) IN GENERAL.—The Director shall submit each year, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report on the extent to which adjustments are made under subsection (a).

(2) SUBSTANCE OF REPORT.—With respect to each of parts A, B, and C of this title, the Director shall include in such report—

(A) a summary of the number of, and purposes for which, such adjustments are requested by the recipients of grants and contracts under parts A, B, and C respectively;

(B) a description of the extent that such requests are accommodated; and

(C) a statement explaining the decisions made by the Director with respect to the requested adjustments.

[REPORTS

[SEC. 407. (a) Not later than one hundred and twenty days after the end of each fiscal year, the Director shall prepare and submit to the President for transmittal by the President to the Congress a full and complete report on the activities of the ACTION Agency during such year. Such report shall reflect the findings and actions taken as a result of any evaluation conducted pursuant to section 416.

[(b) Not later than 120 days after the end of each fiscal year, the Director shall prepare and submit to the appropriate committees of the Congress a report describing activities under section 103(b).]

REPORTS

Sec. 407. Not later than 60 days after the beginning of each fiscal year, the Director shall prepare and submit to the appropriate committees of Congress a report that shall include—

(1) the annual recruitment plan developed under section 103(b)(5);

(2) a description of the activities carried out under section 103(b) during the preceding fiscal year, including a specification of the total number of—

(A) individuals who applied for service as a volunteer under this part;

(B) applicants approved for such service;

(C) approved applicants provided an assignment as a volunteer under section 103(b); and

(D) volunteers assigned to projects and programs that were outside the original home communities of volunteers;

(3) a description of efforts undertaken by the Director during the preceding fiscal year to involve individuals, who have formerly served as volunteers under this part, in the activities authorized under section 103(b);

(4) a specification of the number of, and the manner that, individuals referred to in paragraph (3) that were involved in the activities referred to in paragraph (3); and

(5) a specification of the number and location of employees of the ACTION Agency designated by the Director to assist in carrying out the duties described in section 103(b) during the preceding fiscal year.

* * * * * * *

EVALUATION

Sec. 416. (a) The Director shall measure and evaluate the impact of all programs authorized by this Act, their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Each program shall be evaluated at least once every three years, *including the VISTA Literacy Corps which shall be evaluated as a separate program at least once every 3 years*. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated. Such evaluation shall also measure and evaluate compliance with the equitable distribution requirement of section 414 of this Act.

* * * * * * *

DEFINITIONS

SEC. 421. For the purposes of this Act—

* * * * * * *

(4) the term "poor" or "low-income" persons, individuals, or volunteers means such individuals whose incomes fall at or below the poverty line as set forth in section 625 of the Economic Opportunity Act of 1964, as amended by Public Law 92-424 (42 U.S.C. 2791d): *Provided,* That in determining who is "poor" or "low-income", the Director shall take into consideration existing poverty guidelines as appropriate to local situations; **[**and**]**

(5) the terms "public agencies or organizations" and "Federal, State, or local agencies" shall include any Indian tribe, band, nation, or other organized group or community (including any Alaskan native village or regional village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act) which is recognized by the United States or the State in which it resides as eligible for special programs and services provided to Indians because of their status as **[**Indians.**]** *Indians; and*

(6) the term "poverty line for a single individual" means such poverty line as established by section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

* * * * * * *

MULTIPLE-YEAR GRANTS OR CONTRACTS

SEC. 425. The Director is authorized to approve an application for a contract or grant to carry out any project under this title for a multiple-year period. The applicant for such contract or grant shall not be required to submit a proposal for the continuation of such contract or grant during such period.

* * * * * * *

NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS AUTHORIZATION

SEC. 501. (a)(1) There is authorized to be appropriated to carry out part A of title I (except section 109) $25,000,000 for fiscal year 1987, $26,000,000 for fiscal year 1988, **[**and**]** $27,040,000 for fiscal year 1989, *$30,600,000 for fiscal year 1990, $39,900,000 for fiscal year 1991, $47,800,000 for fiscal year 1992, and $56,000,000 for fiscal year 1993.*

(2) There is authorized to be appropriated to carry out section 109(c) and to expand the number of VISTA Literacy Corps volunteers in literacy programs and projects under part A of title I of this Act $2,000,000 for fiscal year 1987, $3,000,000 for fiscal year 1988, **[**and**]** $5,000,000 for fiscal year 1989, *$6,000,000 for fiscal year 1990, $8,000,000 for fiscal year 1991, $10,000,000 for fiscal year 1992, and $12,000,000 for fiscal year 1993.*

(3) There is authorized to be appropriated to carry out section 109(d) and to expand the number of VISTA Literacy Corps volunteers in literacy programs and projects under part A of title I of

this Act $1,000,000 for each of the fiscal years [1987, 1988, and 1989.] *1987 through 1993.*

(b) There is authorized to be appropriated to carry out part B of title I of this Act $1,800,000 for each of the fiscal years 1987, 1988, and 1989, *and $1,900,000 for fiscal year 1990, $2,000,000 for fiscal year 1991, $2,100,000 for fiscal year 1992, and $2,200,000 for fiscal year 1993.*

(c) There is authorized to be appropriated to carry out part C of title I of this Act $1,984,000 for each of the fiscal years 1987, 1988, and 1989, *and $1,100,000 for fiscal year 1990, $1,150,000 for fiscal year 1991, $5,250,000 for fiscal year 1992 and $5,550,000 for fiscal year 1993.* In addition to the amounts authorized to be appropriated by the preceding sentence, there is authorized to be appropriated the aggregate sum of $5,500,000 for fiscal years 1987 and 1988 to be made available for drug abuse prevention.

(d)(1) Of the amounts appropriated under this section for parts A, B, and C of title I and for sections 109(c) and 109(d), there shall first be available for part A of title I (other than section 109), an amount not less than the amount necessary to provide—

(A) 2,400 years of volunteer service in fiscal year 1987;

(B) 2,500 years of volunteer service in fiscal year 1988; [and]

(C) 2,600 years of volunteer service in fiscal year 1989[.]*;*

(D) 2,800 years of volunteer service in fiscal year 1990;

(E) 3,100 years of volunteer service in fiscal year 1991;

(F) 3,600 years of volunteer service in fiscal year 1992; and

(G) 4,100 years of volunteer service in fiscal year 1993.

* * * * * * *

(4)(A) In applying criteria with respect to meeting the number of years of volunteer service under paragraph (1) for a fiscal year, the Director may not exclude the costs of complying with section 105(b)(2) for each volunteer under this part.

(B) The minimum level of allowances for subsistence required under section 105(b)(2) to be provided to each volunteer under this part may not be reduced or limited in order to provide for the increase in the number of years of volunteer service specified in paragraph (1) for each of the fiscal years 1990 through 1993.

"(C) In the event that the Director determines that funds appropriated to carry out part A of title I are insufficient to provide for the years of volunteer service as required in paragraph (1), the Director shall, within a reasonable period of time in advance of the date on which such additional funds must be reallocated to satisfy the requirements of such subsection, notify the relevant authorizing and appropriating Committees of Congress. Funds shall be reallocated to part A of title I from amounts appropriated for part C of such title prior to the reallocation of funds appropriated for other parts.

* * * * * * *

[NATIONAL] OLDER AMERICANS VOLUNTEER PROGRAMS

SEC. 502. (a) There is authorized to be appropriated *not less than the amount appropriated in the previous fiscal year and not more than* $31,100,000 for fiscal year 1986, $32,000,000 for fiscal year

1987, $33,280,000 for fiscal year 1988, [and] $34,610,000 for fiscal year 1989, *$39,900,000 for fiscal year 1990, $43,900,000 for fiscal year 1991, $48,300,000 for fiscal year 1992, and $53,100,000 for fiscal year 1993,* for the purpose of carrying out programs under part A of title II of this Act.

(b) There is authorized to be appropriated *not less than the amount appropriated in the previous fiscal year and not more than* $58,700,000 for fiscal year 1986, $60,000,000 for fiscal year 1987, $62,400,000 for fiscal year 1988, [and] $64,900,000 for fiscal year 1989, *$70,800,000 for fiscal year 1990, $80,900,000 for fiscal year 1991, $91,700,000 for fiscal year 1992, and $98,200,000 for fiscal year 1993,* for the purpose of carrying out programs under part B of title II of this Act.

(c) There is authorized to be appropriated *not less than the amount appropriated in the previous fiscal year and not more than* $28,600,000 for fiscal year 1986, $29,740,000 for fiscal year 1987, $30,930,000 for fiscal year 1988, [and] $32,170,000 for fiscal year 1989, *$36,600,000 for fiscal year 1990, $39,000,000 for fiscal year 1991, $44,700,000 for fiscal year 1992, and $48,700,000 for fiscal year 1993,* for the purpose of carrying out part C of title II of this Act.

* * * * * * *

ADMINISTRATION AND COORDINATION

SEC. 504. *(a)* There is authorized to be appropriated for the administration of this Act, as authorized in title IV of this Act, $25,312,000 for each of the fiscal years 1987, 1988, and 1989. In addition to the amounts authorized to be appropriated for the administration of this Act by the preceding sentence, there is authorized to be appropriated the aggregate sum of $500,000 for fiscal years 1987 and 1988 to be available for support of drug abuse prevention.

(b) For each of the fiscal years 1990 through 1993, there is authorized to be appropriated for the administration of this Act, as authorized in title IV of this Act, 20 percent of the total amount appropriated under sections 501 and 502 of this act.

* * * * * * *

TITLE 42, UNITED STATES CODE

* * * * * * *

§ 4954. * * *

(a) * * *

* * * * * * *

(c) OATH OR AFFIRMATION.—Volunteers under this part shall, upon enrollment, take the oath of office [as prescribed in section 2504(j) of title 22,] *for individuals appointed to any office of honor or profit by section 3331 of title 5, United States Code, and shall swear or affirm that such individual does not advocate the overthrow of our constitutional form of government in the United States, and that such individual is not a member of an organization* *that advocates the overthrow of our constitutional form of government in the United States, knowing that such organization advocates such an overthrow,* except that persons legally residing within a State but who are not citizens or nationals of the United States, may serve under this part without taking or subscribing to such oath, if the Director determines that the service of such persons will further the interests of the United States. Such persons shall take such alternative oath or affirmation as the Director shall deem appropriate.

* * * * * * *

§ 4958. Limitation on funds appropriated for grants and contracts for direct cost of supporting volunteers in programs or projects

[(a) Of funds appropriated for the purpose of this part under section 5081 of this title, not more than 16 per centum for the fiscal year ending September 30, 1977, and for each fiscal year thereafter, may be obligated for the direct cost of supporting volunteers in programs or projects carried out pursuant to grants and contracts made under section 5042(12) of this title. During the fiscal year ending September 30, 1980—

[(1) in no event may in excess of $5,800,000 be used pursuant to grants and contracts under this part for the direct cost of supporting such volunteers; and

[(2) funds obligated pursuant to such grants and contracts for such cost may be used to support no greater number of years of volunteer service than the number of such years supported during the fiscal year ending September 30, 1979, pursuant to grants and contracts for such cost.]

(a) The Director shall notify the Committee on Education and Labor of the House of Representaties and the Committee on Labor and Human Resources of the Senate if, of the funds appropriated for the purpose of this part under section 501, more than 16 percent of such funds for the fiscal year ending September 30, 1984, and for each fiscal year thereafter, must be obligated for the direct cost of supporting volunteers in programs or projects carried out pursuant to grants and contracts made under section 402(12).

HUMAN SERVICES REAUTHORIZATION ACT OF 1986[1]

(Public Law 99-425)

* * * * * * *

SEC. 408. DEMONSTRATION PARTNERSHIP AGREEMENTS ADDRESSING THE NEEDS OF THE POOR.

(a) GENERAL AUTHORITY.—(1) In order to [provide for the self-sufficiency of the Nation's poor,] *stimulate the development of new approaches to provide for greater self-sufficiency of the poor, to test and evaluate such new approaches, to disseminate project results and evaluation findings so that such approaches can be replicated, and to strengthen the integration, coordination, and redirection of activities to promote maximum self-sufficiency among the poor,* the Secretary may make grants from funds appropriated under subsection (e) to eligible entities for the development and implementation of new and innovative approaches to deal with particularly critical needs or problems of the poor which are common to a number of communities. Grants may be made only with respect to applications which—

* * * * * * *

(B) involve significant new combinations of resources or new and innovative approaches involving partnership agreements; [or]

(C) are structured in a way that will, within the limits of the type of assistance or activities contemplated, most fully and effectively promote the purposes of the Community Services Block Grant Act[;] and

(D) contain an assurance that the applicant for such grants will obtain an independent, methodologically sound evaluation of the effectiveness of the activities carried out with such grant and will submit such evaluation to the Secretary.

* * * * * * *

(b) FEDERAL SHARE; LIMITATIONS.—(1) [Grants] *(A) Except as provided for in subparagraph (B), grants* awarded pursuant to this section shall be used for [new] programs and shall not exceed 50 per centum of the cost of such [new] programs.

(B) After the initial fiscal year that an eligible entity receives a grant under this section to carry out a program, the amount of a subsequent grant made under this section to such entity to carry out such program may not exceed 80 percent of the amount of the grant previously received by such entity under this section to carry out such program.

* * * * * * *

(3) Not more than [one grant] *in each fiscal year* may be made to any eligible entity, and no grant may exceed [$250,000] *$350,000. Not more than tow grants may be made under this section to an eligible entity to carry out a particular program.*

* * * * * * *

[(c) DISSEMINATION OF RESULTS.—As soon as practicable, but no later than 90 days after the expiration of the fiscal year for which any grant is awarded under this section, the Secretary shall prepare and make available upon request to each State and eligible entity descriptions of the demonstration programs assisted under this section, and any relevant information developed and results achieved, so as to provide models for innovative programs to other eligible entities.]

(c) Dissemination of Results.—As soon as practicable, but not later than 180 days after the end of the fiscal year that a recipient of a grant under this section completes the expenditure of such grant, the Secretary shall prepare and make available to each State and each eligible entity a description of the program carried out with such grant, any relevant information developed and results achieved, and an evaluation of such program so as to provide a model of innovative programs for other eligible entities.

(d) REPLICATION OF PROGRAMS.—

(1) The Secretary shall annually identify programs that receive grants under this section that demonstrate a significant potential for dealing with particularly critical problems of the poor that exist in a number of communities.

(2) Not less than 20 percent of the funds appropriated for each fiscal year to carry out this section shall be available to make grants under this section to replicate programs identified under paragraph (1) in additional geographical areas.

(e) REPORT TO CONGRESS.—The Secretary shall submit annually, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report containing—

(1) a description of programs that received grants under this section during the previous fiscal year; and

(B) an evaluation of the effectiveness of such programs in such fiscal year; and

(2) a description of the methods used by the Secretary to comply with subsection (c);

(3) recommendations of the Secretary regarding the suitability of carrying out such programs with funds made available under other Federal laws; and

(4) a description of each program identified under subsection (d)(1) or replicated under subsection (d)(2), and an identification of the geographical location where such program was carried out.

[(d)**]** *(f)* DEFINITIONS.—As used in this section—

(1) the term "eligible entity" has the same meaning given such term by section 673(1) of the Community Services Block Grant Act (42 U.S.C. 9902(1)) *, except that such term includes an organization that serves migrant and seasonal farmworkers and that receives a grant under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) in the fiscal year preceding the fiscal year that such organization requests a grant under this section*; and

* * * * * * *

[(e)**]** *(g)* AUTHORIZATION OF APPROPRIATIONS.—There **[**is**]** *are* authorized to be appropriated $5,000,000 for **[**each of the fiscal years 1987, 1988, and**]** *fiscal year* 1989, *and $6,500,000 for fiscal year 1990* to carry out this section.

○